

# Between City and School

## Selected Orations of Libanius

*Raffaella Cribiore*

TH





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# **Between City and School**

## **Selected Orations of Libanius**

Raffaella Cribiore

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University  
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## A NOTE ON ABBREVIATIONS

Journals and works are abbreviated as in *L'Année philologique*. Ancient authors and their works are abbreviated according to H.G. Liddell and R. Scott, *A Greek–English Lexicon*, 9th edn (1996) (LSJ). Modern works that appear in the Select Bibliography are cited in the text by author name and date of publication. For abbreviations of published papyri, see John F. Oates et al., *Checklist of Greek, Latin, Demotic and Coptic Papyri, Ostraca and Tablets* (<http://scriptorium.lib.duke.edu/papyrus/texts/clist.html>).

In the text and in the index, a number following a personal name refers to A.H.M. Jones, J.R. Martindale and J. Morris, *The Prosopography of the Later Roman Empire*, vol. 1 (1971) (abbrev.: *PLRE* I). A work of great importance is A.H.M. Jones, *The Later Roman Empire 284–602* (1973) (abbrev.: *LRE*).

The letters of Libanius are cited by the numbering in the Teubner edition by R. Foerster (1903–27). References to translations in A.F. Norman, *Libanius, Autobiography and Selected Letters* (1992) (abbrev.: N); S. Bradbury, *Selected Letters of Libanius from the Age of Constantius and Julian* (2004) (abbrev.: B); and R. Cribiore, *The School of Libanius in Late Antique Antioch* (2007) (abbrev.: R) are given according to the numbering in these collections.

References to orations that are translated in this collection are given in bold (e.g., **Or. 37**). In this way the reader can distinguish them from references to other works of Libanius.

Other abbreviations are:

<i>Cels.</i>	Origen, <i>Against Celsus</i>
cod.	codex/codicies
<i>CTh.</i>	<i>Codex Theodosianus</i> , ed. T. Mommsen (1905); repr. 1990. English translation in C. Pharr, <i>The Theodosian Code</i> (2001)
<i>Decl.</i>	<i>Declamations</i>
<i>Dig.</i>	<i>Justinian's Digest</i>

<i>EC</i>	<i>Ecclesiastical History</i>
<i>Ep(p).</i>	<i>Epistula(e)</i>
<i>IG</i>	<i>Inscriptiones graecae</i>
<i>Leges Iuliae</i>	Julian Laws (Augustus)
<i>Or.</i>	Oration(s)
<i>P.Oxy.</i>	<i>The Oxyrhynchus Papyri</i>
<i>PG</i>	Migne, <i>Patrologia Graeca</i>
<i>PL</i>	Migne, <i>Patrologia Latina</i>
<i>Prog.</i>	<i>Progymnasmata</i>
<i>PSI</i>	<i>Pubblicazioni della Società Italiana per la ricerca dei papiri greci e latini in Egitto</i>
<i>RET</i>	<i>Revue des études tardo-antiques</i> ( <a href="http://www.revue-etudes-tardo-antiques.fr/">www.revue- etudes-tardo-antiques fr/</a> )
<i>SC</i>	<i>Sources Chrétiennes</i>
<i>Tit.Ulp.</i>	<i>Tituli ex Corpore Ulpiani</i> (fragments from Ulpianus)

## GENERAL INTRODUCTION

In the narrative of his life Libanius deplored the fact that people did not recognize his merits as an educator and that rhetoric was reviled.<sup>1</sup> His Tyche (Fortune), however, reminded him that his many compositions, which were constantly copied, guaranteed him an outstanding reputation.<sup>2</sup> Among the intellectual figures of the fourth century, Libanius dominated like a powerful lion.

His writings continued to be reproduced and studied in the schools, his fame was undiminished in the Middle Ages and in the Renaissance copies of his works were made and circulated. His huge corpus of over 1,500 letters, the writings employed in his teaching (*Progymnasmata*, *Meletai* and *Hypotheseis* to Demosthenes) and the 64 orations that have been transmitted represent only a fraction of what he composed. His oeuvre, moreover, is only partially translated. The present collection includes translations of twelve important but relatively unknown orations, which will contribute to sharpening the outlines of our picture of Libanius, by focusing on some unfamiliar aspects of his personality and on the way he saw the world of the fourth century.

## LIBANIUS' LIFE

Almost every scholar of Libanius has included in his work a sketch of Libanius' biography.<sup>3</sup> He lived from 314 to at least 393. We know a great deal about his life, mostly but not entirely from his own, often tendentious,

1 *Or.* 1.154–55; this is the end of the first part of his *Autobiography*, written in 374. It is still debated whether or not he delivered this part of his oration before a large audience.

2 Tyche was the tutelary deity of a city. She is omnipresent in the *Autobiography* where Libanius periodically assesses her role as protector and arranger of events.

3 Norman 1965: 1–6; 2000: xi–xviii; Martin and Petit 1979: xi–xx; Russell 1996: 1–5; Molloy 1996: 1–25; Bradbury 2004: 2–12; Cribiore 2007a: 13–24; 2013: 25–75; Nesselrath 2011: 4–15; 2012: 11–33; Van Hoof 2014b: 7–38.

self-portrait; he used rhetorical strategies of self-fashioning skilfully in the first part of his *Autobiography* (*Oration* 1), showing his numerous triumphs and few defeats. The second part, which seems to consist of notes that he appended to the first part, compiled in the period 274–393 and never properly arranged,<sup>4</sup> shows its author as a shrill and harsh old man. It is not easy to distinguish rhetoric from reality in Libanius' narrative because he did not write in a vacuum. He was influenced by both pagan *Lives* of philosophers and Christian literary *Lives*.<sup>5</sup> A possible but indirect influence on him was Philostratus' *Life of Apollonius of Tyana*, a monumental biography of a sensational, superhuman figure, which perhaps inspired in him the desire to present himself as a hero, although it was too dramatic to serve as a close model. Two Neoplatonic philosophers also wrote biographical texts that might have influenced the sophist: Porphyry composed the *Life of Pythagoras* and the *Life of Plotinus* and Iamblichus wrote *On the Pythagorean Life*. All these lives consisted mostly of vignettes and anecdotes and did not follow a regular chronology. In my view, Athanasius' *Life of Antony* also influenced Libanius' *Autobiography*. Athanasius worked in the shared rhetorical landscape of pagan and Christian writers. Besides common elements such as the power of words and of memory, *askesis* (self-discipline) and fights against evil, one fact in particular makes it likely that Libanius knew this work: the translator of Athanasius' work into Latin was Evagrius of Antioch, one of Libanius' pupils (cf. *Or.* 63).<sup>6</sup>

In his *Autobiography*, the sophist aimed to create a public monument of his personal life. The letters that he wrote over a period of 15 years (355–365; 388–393) sometimes allow us to compare facts reported in the narrative of his life and give us the flavour of his personal and social relationships. In addition, the sophist Eunapius included a sketch of Libanius in his *Lives of the Sophists*, in which he gave a damning judgement of his style.<sup>7</sup> In antiquity, Eunapius was by far Libanius' strongest critic, being biased in favour of his own teacher in Athens, Prohaeresius, who, unlike Eunapius,

4 The first part ends at section 155; the second runs from 156 to the end.

5 Criboire 2013: 25–75.

6 In this respect, I think Socrates Scholasticus was right (*Ecclesiastical History* 6.3.2). The two families were so close that Libanius would not have tolerated the youth going to another teacher and would have protested loudly as he did on other occasions. In addition, he always reserved for pupils the injunction to work hard in *Ep.* 1287 = N135. It is of little importance that Libanius disliked monks (e.g., *Or.* 30.8). In this case, I think he was aware that his student was making the translation.

7 Eunapius, *Lives* 16.1 1–2, 10.495–96.

was a Christian. Eunapius' criticism, that Libanius did not know the most elementary rules of declamation, was not accepted by contemporaries and he would continue to shape the Greek of students in the Middle Ages and the Renaissance.

Libanius was born into a grand, municipal family distinguished by wealth, culture, rhetorical successes and service in the city Council, but which became impoverished after an outburst of anger on the part of the emperor Diocletian during the revolt of Eugenius in 303.<sup>8</sup> Libanius never tried to recoup the properties lost in this unjust confiscation, not even when the Emperor Julian could offer his assistance many years later (*Or.* 1.3). He was the middle of three brothers, lost his father at the age of 11 and grew up under the tutelage of his mother, to whom he was very close. She was sweet and indulgent and rejoiced when he declaimed for her (*Or.* 1.117) but strongly opposed his voyage to Athens to study rhetoric there. She had decided not to remarry and wanted to maintain the family nucleus intact. One can see a reflection of Libanius' relationship with his mother in *Or.* 35.7. Upbraiding former students who kept silent in the Council, the sophist pointed out the consequences of such behaviour at home. Sons might lie about their conduct when mothers (not fathers) asked for an account of their day. If, however, they reported their lethargy, their mothers would groan and curse themselves 'for engendering outrage, dishonour, and disgrace'. Libanius' maternal uncles, Panolbius and Phasganius, were his guardians. The family was shattered in 358 when both uncles died and his mother followed. In the same year there was the earthquake in Nicomedia in which his friend Aristaenetus died (*Or.* 61).

After spending some years in the countryside, at the age of 15 Libanius underwent a conversion to rhetoric that lasted for the rest of his life. In *Or.* 1.6, he recognized that if his father were still alive his career would have been different: he would have been involved in municipal politics as a member of the city council, concerned with the law or serving in the imperial administration, as some of his students would do, although Libanius would consistently claim that an academic career was far preferable. He studied rhetoric for a time in Antioch without much satisfaction and with inferior teachers and went back to the grammarian's school for five years; his knowledge of literature was thus extraordinarily far-reaching. In 336, he

8 On the revolt, see Libanius, *Or.* 11 159–62: Eugenius was an infantry officer who became a pretender to the throne. The emperor severely punished the decurions of Antioch who were not guilty and had actually suppressed the revolt. Libanius' family property was confiscated and his grandfather and great-uncle were executed.

left Antioch for Athens and studied rhetoric there until 340 without closely following an individual teacher and impatient of what he considered the general incompetence. Then, together with a friend, he embarked upon an odyssey of teaching, lecturing in Constantinople, Nicaea and Nicomedia. He taught in Nicomedia for five happy years, making lasting friendships (see introduction to **Or. 61**) and it was there that the future emperor Julian indirectly became his student. Prevented from attending his classes because of Libanius' paganism, Julian was able to receive the text of his lectures so that Libanius later claimed that the emperor had studied with him. After enjoying some success, but full of nostalgia for his native city, he returned to Antioch in 353. The sophist Zenobius, who had summoned Libanius to succeed him, subsequently changed his mind because of Libanius' indecent eagerness to supersede him, but when he died his public position was vacant and from 354 on Libanius was established for the rest of his life as the official sophist of the city. These early journeys were the only ones Libanius undertook since he never moved from Antioch, unlike other sophists such as Themistius, who did not remain in Constantinople.

On Libanius' return to Antioch, his plans to marry his fiancée, Phasganius' daughter, were shattered by her death. With time, Libanius entered into a relationship with a woman who was socially inferior to him (a freedwoman?), for whom he had great respect. As he says in *Ep.* 959 = N169, because of her he did not consider marrying daughters with rich fathers.<sup>9</sup> Yet he never mentions her in writing while she was still alive.<sup>10</sup> With her he had a natural son, Cimon, sometimes called Arrhabius. Although he regretted not having legitimate offspring, he made great efforts on behalf of Cimon's career and his right to inherit from his father and was inconsolable when the young man died in 391.

In Antioch Libanius established a tremendous network of friends and acquaintances, was affable, conversed cordially with everyone including shopkeepers, and (by his own account) was called 'Libanius the Charmer' (*Or.* 2.19). Some of the orations in this collection testify to the value he assigned to friendship. **Or. 37** is entirely based on his ties with the emperor Julian and the broken friendship with Polycles who betrayed his trust. In addition, the betrayed rapport between Julian and Helpidius and the friendship of convenience between the latter and Polycles figure prominently. In **Or. 40**, the complicated events that concern the

<sup>9</sup> See also *Or.* 1.278 and *Ep.* 1063.5.

<sup>10</sup> This was probably conventional and not indifference on his part.

composition and delivery of an encomium for the governor Domitius seem to emanate from the broken ties between Libanius and Domitius' brother, who befriended a disgraceful individual. In late orations, too, the theme of friendship is crucial, as in *Or. 38*, which puts into relief his warm rapport with the teacher Gaudentius, and of course in *Or. 63*, in which the close relationship that Libanius established in his early years with Olympius 3<sup>11</sup> was reinforced as time went by. Libanius' friends resided not only in Antioch but also in other provinces, in which case communication was through correspondence.<sup>12</sup>

With the help of his uncle Phasganius, who always promoted his rhetorical career, and the assistance of the prefect Strategius Musonianus, Libanius acquired power in Antioch and his school started to thrive. From the 15 students whom he brought from Constantinople and taught in his private quarters, it continued to grow, so that he moved to more prominent rooms and later to a large room in the city hall. He was indefatigable and gave many acclaimed oratorical displays; in *Or. 11.1*, which he wrote in praise of Antioch, he declares that he had made more speeches than any man alive 'in panegyric or exhortation as well as competitions of various forms'. In *Or. 2* he manifests his disappointment when he realized that some people found him 'hard to bear' (19–20 and *passim*). He said that he never prevented people from laughing and when an occasion demanded it participated in the common merriment. Illness, gout and depression were the other side of his success and oppressed him for long periods, particularly when relatives, friends and the emperor Julian died. His mental and physical health deteriorated insensibly with the passing of the years and his view of the world darkened resulting in apparent contradictions, rage and desperate declarations.

Libanius lived through the difficult times of the Caesar Gallus (351–354) and of Constantius II (337–361). The latter gave preference for advancement to Christians, to those who had skills in Latin and Roman law and to notaries who were expert in shorthand, all rival disciplines of Libanius' beloved rhetoric. Libanius' feelings that he was slighted were reinforced in 360 by the action of the Christian praetorian prefect Helpidius 4 (*Or. 37*) who cut his salary. In 361, moreover, the lack of imperial favour became evident in the objectionable financial treatment that his four

11 According to the numeration in *PLRE* I. There were several important individuals by the same name.

12 The letters reveal the discussions and literary passions of a group of admirers of the second-century sophist Aristides, on which, see Criboire 2008a.

assistants suffered. In *Or.* 31, he appealed to the Council on their behalf because they had to share the single salary of his predecessor Zenobius and were in dire economic straits. He requested that they should have the income from some public property that the Council had confiscated but the results of his action are unknown.

Libanius' position improved considerably when Julian became sole Augustus late in 361. In 362, the arrival of the emperor in Antioch brought the sophist huge relief after the personal losses he had suffered, the deaths of relatives and friends. Writing the *Decline and Fall of the Roman Empire* in 1776, the historian Gibbon praised the sophist as 'an independent philosopher who refused Julian's favours, loved his person, celebrated his fame, and protected his memory'.<sup>13</sup> In spite of Gibbon's idealization, it is undeniable that these were Libanius' best years and that his misery at the demise of the emperor was authentic. When Julian lost his life in a battle against the Persians in 363, the immediate shock was such that the sophist had suicidal thoughts. Among other things, his work sustained him because he felt that it was his duty to commemorate the fallen with oratory (*Or.* 1.135). In 364, he wrote concerning the emperor: 'I loved him no less than my own mother, and I was loved far more than those who really seemed to be'.<sup>14</sup>

**Oration 37** in this collection allows us to appreciate Libanius' relationship with Julian from a new angle. Here, the sophist defended the emperor's memory from an atrocious accusation, that he had corrupted a doctor in order to have his wife Helena poisoned (as the daughter of Constantine I she was also Julian's cousin). The mention of this rumour is significant because it shows the contemporary climate of defamatory claims against the emperor. Libanius based his defence of Julian mostly on an encomium that puts into relief the emperor's honesty, generosity, lack of cruelty and extreme faith in the pagan gods. He contrasts his true friendship with the emperor with the utter disloyalty of the accusers, who had forgotten the gratitude they owed him. Yet Libanius' relationship with Julian was not always so close nor was his approval of him always unconditional. It was Julian's culture and cultivation of rhetoric which were fundamental to cementing the rapport that became very strong only after the emperor died, when he became a symbol of traditional religious faith.<sup>15</sup>

13 Gibbon 1946: 1.704.

14 *Ep.* 1154 = N124.

15 On this relationship, which was not based on unconditional approval, see Criatore 2013: 163–65 and 229–37.



With Julian gone and Christians in power, some fervent pagans in Antioch feared retaliation. In *Or.* 1.136–37, Libanius mentioned attempts to kill him but these seem to have originated from personal conflicts and not specifically from his religious allegiance. It is also possible that he emphasized these episodes and his personal danger in order to dispel doubts about the authenticity of his worship of the pagan gods, given that zealous pagans accused him of living happily ‘in the peace of flowery meadows’ (*Ep.* 1265 = N134). By this, they probably alluded to his cultivation of literature and rhetoric rather than to an actual indifference to the plight of pagans in that period and we will consider the quality and intensity of his pagan beliefs as we comment on orations such as *Or.* 37, 39, 61 and 63. For now, it suffices to say that Libanius was far from being an extremist and had plenty of friends and acquaintances who were Christian. In this he was quite different from Julian and his Platonist circle and never followed the mysteries of Neoplatonic thaumaturgy that attracted the emperor.

Up to this period, the letters are useful in counterbalancing the *Autobiography*. However, in the summer of 365 they cease and the extant correspondence only resumes in 388, continuing until 393. It is possible that the gap of 23 years is due to the fact that Libanius did not continue to keep duplicates when the emperors (and Valens especially) were hostile to him. The narrative of his life (*Or.* 1.175–78) reveals that his conduct and his letters were under suspicion from Valens. And yet there are other factors: Libanius did not destroy the correspondence with Julian and kept the letters to and from other pagans. Alternative explanations, therefore, such as accidental loss in the manuscript tradition, cannot be ruled out.

Under Valens,<sup>16</sup> Libanius lost much of the prestige he had acquired during Julian’s reign but was able to re-emerge into prominence after Valens’ death at the battle of Adrianople in 378. Over half of his 64 extant orations date to the period of the emperor Theodosius I (378–395) and though Libanius’ influence was not as strong as before he was able to emerge from obscurity and enjoyed some favour. Through the intervention of pagan advisers who were friendly to him, the emperor, who never met him, awarded him an honorary title for his literary achievements (*Or.* 1.219) in 383. Oppressed by physical and mental ailments and hypochondria, Libanius continued to teach in spite of his frail health even though sometimes he was brought

16 When his brother Valentinian I became emperor, he gave Valens the Eastern empire, which he held from 364 to 378.

to the classroom on a stretcher. Rhetoric and his present and past students were his constant preoccupations until the end.

### QUESTIONS OF GENRE

Even though the present collection includes only orations and not letters, consideration of Libanius' letters and their nature is crucial for a proper evaluation of his life and work. It will become evident, as we examine the orations and their themes, that the message Libanius conveyed in the speeches and in the correspondence could vary a great deal. In general, in all the school orations he was harsh towards specific individuals, censured students and former students for choosing pleasant entertainments at the expense of rhetoric and considered his profession a discipline that was hopelessly threatened by others and that gave him no satisfaction. The letters, however, are sympathetic to students, encourage them, abound in praise for them and support them in every way, even when they were not model pupils and attended the school only for a short time. It is possible to find discrepancies of a similar kind with respect to religious allegiance. In his letters Libanius is quite sympathetic towards some Christians, supports them when they are threatened and does not appear a fervent pagan worshipper of the gods, but in the speeches (with the exception of *Or. 63*) he presents himself as the main exponent of paganism in the city and the rescuer of the old traditions, while he is full of rage against the Christian community. Another area in which one perceives notable differences is in the treatment of some public figures, who are addressed politely in the correspondence but are abused viciously in the speeches.<sup>17</sup>

In confronting this scenario, the reaction of scholars has so far been mostly negative. They have accused Libanius of flattery, hypocrisy and incoherence. If we want to try to reconcile these differences, genre may provide the answer. Genres, guidelines that shape the creativity of an author without stifling it, were fairly stable in antiquity and may have influenced authors' choices more than we now realize. The ancient creator and consumer of literature knew the conventions and expectations very well indeed and an ancient audience may have perceived coherence where we find contradictions. In this respect, we should not take letters and orations as texts that had an identical message and addressed an identical audience.

<sup>17</sup> On the treatment of Proclus, see Cribiore 2013: 126–29. Cf. below on invective.

A writer did not write in a vacuum but had to take into account his public's expectations.<sup>18</sup> Thus the person who penned letters would not introduce open feelings of hostility but had to conceal them artfully. A letter was a vehicle of friendship and had to appear such because of this cultural code. Orations were allowed to be more direct. Conversely, we will see that in launching an invective Libanius again played on the expectations of his audience. He did not need to hide his virulent orations after composing them but could play on the fact that his audience could be expected to be aware of traditional conventions of the genre and that these removed the sting from the most virulent attacks.

## THE ORATIONS

I have arranged the twelve orations in this volume in chronological order, that is, **Or. 61** [358], **37** [after 365], **40** [366], **55** [an early oration], **53** [380–384], **41** [382–387], **39** [before 385], **35** [388], **51** and **52** [388], **63** [388–389], and **38** [after 388]. They can be divided roughly into two thematic groups, which partially overlap. The first includes those that deal with issues that affected Antioch such as the Council, the governors, pagans and Christians, public invective and delivery of epideictic orations. In the second group are speeches that concerned Libanius' school of rhetoric, that focus on his students, both in school and after they left school, and on the rival disciplines that threatened rhetoric. I have chosen, however, not to arrange these orations strictly according to these two groups because, while a few orations can be classified according to some main subjects, in others several themes are aired at the same time.

Libanius was deeply involved in his speeches and they are rich and multifaceted. Sometimes a new theme appears suddenly or Libanius makes a random but important observation, which is then developed and affects the whole.<sup>19</sup> Like all orators, as a preliminary to a speech, in the process technically called 'invention', he produced a wealth of argumentative material in order to select from it and organize it.<sup>20</sup> But while all

<sup>18</sup> See Jauss 1971.

<sup>19</sup> In addition to the syntax, which is sometimes convoluted, this feature too may give some trouble to the translator who does not expect new themes to arise unexpectedly for a short time.

<sup>20</sup> Quintilian 3.3.1–15 mentions five subsequent phases in producing an oration of which *invention* was the first. There were, however, other systems.

his orations are centred on a *leitmotif*, other bits and pieces of argument emerge and they are inclined to take off in unexpected directions. Some of his orations are based on past models. For example, Libanius was familiar with the invective *Against Timarchus* delivered by the fourth-century BCE Athenian orator Aeschines. Aeschines thoroughly demolished Timarchus, who was an ally of Demosthenes, accusing him of indecent conduct when he was young. Aeschines' treatment of the subject was robust and linear, while it is sometimes difficult to schematize Libanius' speeches according to a structural prototype.<sup>21</sup> We may consider Libanius' oratory more sophisticated in its approach.

What follows will consider the various themes that occur in the speeches.

## The City of Antioch

### *The Council*

Antioch's Council is often a protagonist in Libanius' works even though it is difficult to deduce in each instance what he really thought of the financial burdens that membership of it entailed. One reason for this is that the class of decurions, of whom the council was composed, was not socially and economically uniform because fortunes had changed over the centuries. Humble decurions might be oppressed by unbearable expenses, while the wealthy ones proudly sponsored lavish games. It is also possible that the sophist exaggerated the plight of poor decurions who tried to escape from liturgies and the eventual floggings when they were incapable of sustaining them. For people who owned land, membership of the Council was compulsory unless they could claim immunities. It was hereditary, and young men could be nominated at 18 years of age. In *Or. 35.5*, Libanius mentions that when fathers died before their time their very young sons had to become members of the Council in spite of their immaturity and lack of understanding. The Council, and thus the city, was weakened when people claimed personal or hereditary immunities. Public doctors, grammarians and sophists were exempt from the duties of the Council but they were not numerous. But there were many other ways to escape, such as by becoming an advocate (especially if attached to an official's entourage), filling an office or being part of the Senate in Constantinople.<sup>22</sup>

<sup>21</sup> See, e.g., *Or. 38* and *40*.

<sup>22</sup> On the possible ways to escape, see *LRE*: 740–48.

Libanius always promoted the welfare of the city Council, which he deemed indispensable to the harmonious development of Antioch and the well-being of the empire. In the early oration 11 (the *Antiochikos*), having gone through the history of the city from its foundation, he gave a glowing picture of the present. He did not want to behave like 'some cities that imitate retired veterans' and continued to praise the past but complained about the present (131). He declared optimistically that members of the Council did not mind their financial burdens but considered that their properties existed for the common good. They spent munificently on the baths, the theatre and other services, to the point that their generosity could reduce them to personal want (134). The reality was different, and Libanius later had to come to terms with the problems afflicting some of the Council's members. In some speeches, like *Or.* 2. 26–27 (dated to 380–381), he recognized that his fellow citizens were impatient of his continuous lamentations for the condition of the decurions: their oppression by their fiscal duties, the liturgies that they were enforced to undertake and their depleted properties.

But even though Libanius was not always consistent, in later orations (*Or.* 48, 49)<sup>23</sup> his ire targeted the *principales*, those arrogant members of the Council who had prominent positions and sometimes threatened its weakest members. They even protected and financially supported those young men who wanted to go to Rome and Berytus (modern Beirut) to learn Latin and Roman law (48.22 and 49.27–29). For Libanius this was a personal offence. In their desire to escape untenable situations, humble decurions sold or donated their properties, which were then grabbed by the wealthy decurions. In *Or.* 49.22, Libanius besought the emperor Theodosius to 'hunt' these dangerous men and thus do good to the Council. The *principales* make an appearance in *Or.* 38, where he targeted Silvanus, the son of his assistant teacher Gaudentius. Both Silvanus and his son had attended the sophist's school. In addition to their poor results and indecent behaviour, Silvanus was guilty of mistreating his old father and of killing him by his lack of proper care. Yet, at the end of the speech (20–23), the tone changes entirely and Libanius adduces factual and apparently realistic reasons for his denunciation of this man. Silvanus was a popular member of the Council and eminent people favoured his company. He was appealing at that time to escape from the Council in spite of the fact that he owned property that qualified him for membership. This was not his first attempt at obtaining immunity and he had been successful before. Apparently a

23 Their dates are controversial but they should certainly be put after 384.

decree had been passed that empowered him to claim some legal immunity. Thus the Council – said Libanius – was depleted. Silvanus' case, he argued, was more compelling than others because of the man's inner depravity. One wonders whether the *principales* agreed with him.

Libanius came from a prominent family that was part of the Council and constantly reminded his fellow citizens of the past glories and services of his ancestors. He was particularly proud of his maternal uncle Phasganius who was an excellent rhetor (*Or.* 35.10) and succeeded in rousing the Council against the Caesar Gallus who treated Antioch harshly before his death in 354. Those were glorious times for the Council, when, supposedly, people spoke with great eloquence in favour of or against motions and were 'the towers of defence of the city'. At that time the sophist could not condone attempts to escape from civic burdens. But Libanius was also ambivalent with regard to the burden of liturgies that oppressed some decurions, particularly when they were students.<sup>24</sup> The situation presented in *Or.* 55 is not completely clear but it appears that the student Anaxentius had to abandon his study of rhetoric in Antioch and was recalled home to Gaza under the threat of membership of the Council. His father may have been too old and sick to undertake a liturgy. When a father died, his son, who was still being educated, was forced to become a member in his stead. Other young men were supposedly too poor to sustain the burden, like that Agroecius who was in bad health and had five sisters who were not married.<sup>25</sup> The sophist supported the pleas of these young men and wrote letters on their behalf to help them secure immunities. In the end, rhetoric's health was more important for Libanius than the health of the Council.

When problems were too close to home, moreover, Libanius also overlooked his past condemnation of those decurions who tried to escape from the mandatory obligations of the Council. Though he had a personal immunity because of his professional position, he supported the attempts of his son Cimon to become an advocate or serve in an office and helped him in every way to escape from the clutches of the Council. It was all in vain. *Ep.* 959 = N169, written in 390, summarizes the situation well. First of all, Cimon, whose mother was a woman of inferior status, could not become heir to his father's patrimony. Julian died too soon to help him. Then there were the attempts by people whom Libanius ironically called 'friends' to introduce his son into the town Council. In the letter, Libanius

24 Cf. Cribiore 2007a: 215–16.

25 Cribiore 2007a: no. 6 and B 72.

begged the governor Tatianus<sup>26</sup> to help his son enter the imperial service, but the attempts of Cimon to obtain a position in Constantinople were not successful and he felt insulted. Libanius pleaded for him to return, to stop desiring an office 'or any other forbidden fruit, but fields, and trees and bees' (*Ep.* 1001 = N175). On his return to Antioch, Cimon suffered an accident and died soon thereafter.

### *The Governors*

At the beginning of his *Autobiography* (1.2) Libanius revealed what was for him one of the important functions of rhetoric, to oppose the excesses of governors.<sup>27</sup> The narrative of his life shows that he had frequent contacts with power, some of which were quite negative, especially in his later years. His positive or negative evaluations of the tenure of some officials and of the favour or lack of favour they showed to him was of course entirely subjective and personal. A governor called Philagrius (5) appears in the *Autobiography* and it is interesting to view the ups and downs of their relationship.<sup>28</sup> Hostile to the sophist in order to favour a friend from schooldays, Philagrius was apparently later conquered by Libanius' rhetoric and even recruited students for him. In general, it is uncertain what was the real impact of a governor on Libanius' school, how many students he had and what was his standing in the city. Libanius, however, constantly recommended his students to governors when they needed positions after leaving school.

In *Or.* 41, the sophist considered another governor, Philagrius 2, in flattering terms. In contrast to other officials who depended on the acclamations of people in the theatre, Philagrius disregarded that aspect of popular favour and elicited admiration. 'Disgusting' individuals (mostly foreigners, according to Libanius) acclaimed governors and ran before their chariots chanting songs (12). In *Or.* 1.207, Libanius actually advised the same governor to ignore slanders that were circulating against him, but then, when faced with a famine, Philagrius abandoned the moderation Libanius hoped for and resorted to flogging and thus became a negative figure. The governor Domitius 1 is one of the protagonists of *Or.* 40, which allows us to see his comings and goings and final departure for Egypt (21). A few years before, referring to another governor, Strategius Musonianus,

<sup>26</sup> Tatianus 5, praetorian prefect.

<sup>27</sup> A generic statement. For a fuller treatment of material discussed here, with further bibliography, see Cribiore 2009.

<sup>28</sup> *Or.* 1. 66–72, Philagrius 5.

who had commissioned a very long panegyric of himself, the sophist had commented that some governors longed for speeches of praise even more than for office.<sup>29</sup> Domitius was one such and this speech allows us to appreciate his insistence on getting an oration from the renowned sophist of Antioch but also his breaking of the terms they had agreed on. He wanted a full celebration at his departure and requested the presence of a poet. In doing so he disregarded the covenant made with Libanius and spoiled the festivity, so that a joyful day became instead ‘a day of darkness’ (26).

Positive and negative feelings for governors appear in the two speeches *Or. 51* and *52* that concern the visits that people constantly paid to officials in search of special favours. Though Libanius admitted that he had visited governors and conversed with them on an equal footing, he justified his own behaviour while sharply condemning the visits of others that, in his opinion, hampered the course of justice. As he remarked at the beginning of *Or. 51.3*, governors represented the emperor who was unable to be present everywhere and trusted in them to administer justice. The visits people paid to their headquarters and their presence in the law court prevented that. Thus *Or. 51* and *52* present a lurid scenario: corruption, attempts to obtain improper favours, compensation for such favours, unlawful gifts and even threats to denigrate the governors who would not bend. Both speeches abound in descriptions and vignettes that give us a flavour of the lives of governors in Antioch. In *Or. 51*, governors are mostly seen as victims of people who besieged them in their homes and in the baths, while in *52*, Libanius’ hostility to these officials comes more into the open. People did not easily get discouraged, tried to catch a governor just out of the baths or even stripped and got into the water with ink and pen to submit documents to him (*Or. 52.7*). Libanius’ suggestion that there were in Antioch better places to meet – ‘barbers’ shops, surgeries and perfumers’ shops’ – proves that governors, when they chose to, could walk freely throughout the city, mingling with common people (*Or. 51.10*). Petitioners included Antiochenes of every social level, teachers and doctors included. The latter took advantage of professional consultations to introduce their unlawful requests, so that Libanius wished for governors to become mute, as happened, he said, to a Syrian official who could not talk to a doctor due to a throat condition (*Or. 52.35*). The most powerful of all scenes condemning the behaviour of governors comes at the end of *52*, where they are shown leaving banquets, full of wine, unable to stand and collapsing

29 *Or.* 1.111.



in their chariots. ‘Sire – Libanius asks the emperor – who do you think are those who obey [the governor] when they witness such things?’ (48).

*Pagans and Christians in the City*

I have been using the traditional terms ‘pagan’ and ‘Christian’ but it is important to underline that the groups designated in this way in the fourth century were not fixed and immutable but were fluid.<sup>30</sup> Some of Libanius’ friends and acquaintances who appear in his letters are fervent pagans, preoccupied with rites and religious festivities, but others identify themselves with various, changing groups. Different expectations, personal disappointments or desire to conform to the religious attitude of relatives and friends were among the causes that might occasion even drastic shifts. The orations in this collection do not particularly focus on religious allegiance (with one exception, *Or.* 63). Traditional religion and mythology occur in the *Monody for Nicomedia* (*Or.* 61) and astrology plays some part in *Or.* 37.19–22. This speech interestingly points to some kind of astrology market in the city, that is, a number of astrologists who were rated differently and whom people consulted and from whom they chose suitable individuals according to need. The banquets at the centre of *Or.* 53 are those connected with the festival in honour of Zeus at the Olympic games. In the past, pagans had congregated on this occasion but Libanius laments that the festivity had assumed a secular character and had become only a family occasion.

*Oration 63*, however, offers a powerful testimony to the integration of some Christians and pagans. In the third century there was already a substantial Christian community in Antioch, which became stronger after the conversion of Constantine.<sup>31</sup> During Libanius’ time, the city was largely Christianized as the number of churches and the many Christian festivals testify. The number of pagans, however, remained considerable in spite of the attempts of the emperor Constantius to limit their worship. Under Julian, paganism regained some strength but afterwards his measures were overturned. *Or.* 63 gives us a strong sense of how these groups functioned in Antioch and of the polemics generated by coexistence. The intense relationship of the pagan Libanius with the Christian Olympius is formidable evidence not only that friendship could overcome religious barriers but also that many nuances might exist in a religious allegiance.

<sup>30</sup> See Cribiore 2013: 132–41; Jones 2014.

<sup>31</sup> See Sandwell 2007: 43–46.

The letters reveal how intense and intimate was the relationship of the two friends.<sup>32</sup> Their bond was such that scholars automatically assumed that Olympius was pagan. This fact alone shows that in the past (and sometimes even now) scholars continued to divide religious allegiances into rigid groups. In addition, the fact that at his death Olympius had left his patrimony to Libanius seemed to confirm beyond reasonable doubt that both friends were pagan. I have called Libanius ‘a grey pagan’,<sup>33</sup> that is, someone who did not always follow a straight path. His attitude, moreover, depended on circumstances and the audience he addressed. Olympius, who supported women in his household according to the custom of spiritual marriage, was a practicing Christian who belonged to a circle of friends many of whom were pagan. We could call him a ‘grey’ Christian.

This oration reveals the huge controversy that arose in Antioch after the opening of Olympius’ will (17). Until now the affair was known only from the *Autobiography*, *Or.* 1. 275–78, where Libanius manifested his discomfort at having to defend himself in court against those who impugned the will. The sophist’s bitter description there of the turmoil did not seem warranted by the events known so far. In revealing that Olympius was Christian, however, *Or.* 63 shows that those Christian friends and relatives who regarded the will as a true act of war were to some extent justified. The fact that Olympius’ younger brother Evagrius was the Christian priest who in 388–389 was bishop of Antioch further illuminates a paradoxical situation, since he must have had plans to use the money for his or his community’s needs. No wonder that a great storm of indignation arose in the city.

### **Libanius’ Strategies of Address: Invective**

The historian Paul Petit could not accept the virulence of Libanius’ attacks against some individuals.<sup>34</sup> In his view, it was inconceivable that the sophist could deliver such speeches publicly. Petit suggested that Libanius either read these texts before a few friends or, more plausibly, that after composing such attacks, he preserved them undelivered. But would a rhetor of Libanius’ calibre be content to produce finished pieces yet consider them unworthy of public attention? Would he play with rhetoric as if it were

<sup>32</sup> See introduction to *Or.* 63.

<sup>33</sup> Criboire 2013: 173 and *passim*.

<sup>34</sup> Petit 1956.

a pleasant pastime? For him rhetoric was not a game but a way of life. Though various aspects of invective are visible in his orations, here I will concentrate on the slanders of a sexual nature that abound in the speeches in this collection. The main question I am asking is whether Libanius' audience accepted his attacks at face value. Were people uncritical recipients of his words? Did they receive these attacks passively, assenting in silence? Libanius and his public in Antioch were aware of the characteristics and limitations of genre and of traditional motifs that played out in oratory. Do we have to believe that they were entirely gullible and accepted everything without questioning? I think that an ancient audience could be more or less cultivated but never completely lost touch with reality. In a recent book, I have made an inquiry into Greek oratory of the fourth century BCE and suggested that those audiences that were familiar with abuse in the theatre were sophisticated enough to regulate their acceptance of indiscriminate sexual slander.<sup>35</sup> It seems plausible that the frequency of attacks of this kind made them lose their biting force. It is true that calumny still hits the target even when some details are not realistic and the public considers them as fanciful. Yet their diminished impact and even possible provocation of laughter do not preclude public delivery, but rather go a long way towards explaining the circumstances under which topics that were almost unspeakable could be declaimed in public.

Sexual slander is found in various orations: **Or. 37, 38, 39, 40** and **41**. In **53**, however, Libanius employs satire, which is different from personal invective in so far as it aims at reinforcing tradition and strengthening certain social and moral values. Thus the vignettes of sexual depravity that he introduces in this speech, in which young boys are the victims of adult lechers, are in theory intended to have a salutary effect. Libanius declares that the city in fact required his intervention in order for boys to turn into respectable politicians. In the other orations listed above invective is prominent. Sometimes it comes into the open suddenly, revealing a window of shame that closes at once. In **Or. 40.10**, it seems that Libanius' displeasure at being disregarded as a friend unleashes itself in a crescendo of accusations that includes debauchery and tomb robbing; after this the rhetor regains his composure and continues his discourse. Invective appears to be a temporary loss of self-control that often builds to great proportions and then dies down. In **Or. 41**, one is not too surprised to learn that the *claqueurs* in the theatre are debauched

35 Cribiore 2013: 98–107.

individuals in every respect (6–7). They harangue the masses, shouting and turning them against public officials. Such offensive behaviour is a proof for Libanius of an inherently immoral nature and the path from child prostitution to the theatre becomes direct.

In others orations sexual slander is more pervasive. In *Or. 38*, both father and son are accused of homosexuality and of inciting others to this vice. Might it have been otherwise, one wonders? Not so; these charges appear logical in so far as they emerge from these students' failure to pay for tuition, lack of talent for rhetoric, preference for other disciplines like Latin and unkind behaviour towards the sick sophist. The sexual slander that is present in *Or. 37* is subtler. The burning charge levelled at the emperor Julian unleashes accusations against Helpidius of being a pathic homosexual who prostituted himself when he was young and repeatedly 'sold his beauty'. Yet in extending the same accusation to Polycles, Libanius is a master of *savoir faire* and proceeds step-by-step to enmesh him. His sneer is palpable and shrewd and his approach finely psychological. In *Or. 39*, however, the presentation of Mixidemus is not only dense with lurid details but also extends to most of the speech. Sections 5 and 6 present a view of this man's utterly deplorable life. Mixidemus, debauched from childhood, sold his body and corrupted others. While the topos of the misspent youth is a traditional trait of sexual invective, the rest of the oration focuses on incredible details and shows episodes of total depravity that oscillate between realistic accusations and pure slander. The climax is reached when Mixidemus not only sells his son but becomes his lover (22). Memories of Demosthenes and Greek tragedy mingle here with powerful effect.

It is important to realize, however, that invective in late antiquity, and in Libanius' work in particular, was affected not only by the classical tradition but also by contemporary comic and tragic representations and by Christian discourse that condemned vices such as incest, homosexuality and lust. In Antioch, for example, John Chrysostom was a preacher of high appeal with a classicizing style that was not as intricate as that of his supposed teacher, Libanius. With his colourful descriptions of satanic spectacles, vice and harlotry he nailed his audience to their seats. The details he included in his sermons concerning the attire and nakedness of actresses and young men who aroused homosexual desire, thus betraying their own nature, were well received. The church was then a theatre, the pulpit had become a stage and people enjoyed the spectacle. I argue that some details in Libanius' speeches must have had a similar effect. In this

way people in Antioch could receive his oratory with pleasure. In these speeches he aimed less at persuasion and more at his public's emotions and turned his rhetorical technique to delighting and gratifying his audience.

### Audience and Epideictic Orations

Rhetoric needs and looks for an audience but as a rule it is very difficult to identify where Libanius spoke and which audience he addressed unless he mentions something in his *Autobiography*. Very little information exists in this respect about the speeches in this collection. **Or. 51** and **52**, for example, are addressed to the emperor Theodosius but, even though Libanius seems to speak to the emperor in personal tones, it seems very unlikely that he visited court. Any identification of various officials who might have received these speeches is also quite tentative.

In theory, epideictic orations, written for display and in a rather sophisticated rhetorical style, were delivered before a large public.<sup>36</sup> Libanius, for example, delivered *Or. 11, The Antiochikos*, in the public theatre either in Antioch or in Daphne. It celebrated the Olympic Games of 356 and attracted not only Antiocheans but also foreigners. Libanius commented with satisfaction in *Ep. 1243*, written several years later, 'the speech is not doing badly', that is, people still read and admired it after it was copied. And yet unforeseen circumstances could limit public presence at the delivery of an epideictic speech, even though this did not affect its written dissemination. Thus Libanius delivered two monodies, **Or. 61, The Lament for Nicomedia**, and the funeral oration of his friend Aristaenetus,<sup>37</sup> who died in the earthquake, before a very restricted audience (four friends).<sup>38</sup> These orations were not polemical and controversial, so we must believe Libanius when he attributed his desire for privacy to his acute grief. Later on, in fact, rather than keeping them hidden, he disseminated them in writing. At other times, however, intentional caution was necessary. Libanius delivered part of the funeral oration (*Epitaphios*) for his uncle Phasganius before a vast audience, but released before a few friends only the invective against the Caesar Gallus that the oration included. It is clear, therefore, that a large audience was not strictly required for every epideictic oration. We will see

36 On delivery and circulation of speeches, see Criboire 2013: 79–89.

37 It is not preserved.

38 See *Or. 1118* and *Ep. 33*. Nothing is known of the audience of another monody, 17, the lament for the death of Julian in 365.

in what follows that the audiences of other types of speech (for example, those concerned with governors or with private matters) also varied.

Libanius composed the *Monody for Nicomedia* (*Or. 61*) when an earthquake devastated the city in 358. Other orations such as *Or. 39* and *41* have epideictic characteristics but include a variety of themes, while *Or. 61* is entirely a lamentation for a city that had disappeared.<sup>39</sup> I have already shown that Nicomedia played a significant part in Libanius' life, because of the people he met and befriended, when he was a teacher there.<sup>40</sup> Besides the friends he lost in the earthquake, in this period his mother and uncle also died, so that this speech conveys a cumulative and heartfelt despair. In antiquity readers admired it exceedingly. Mythological themes, rhetorical expressions and invocation of the gods, repetitions and lamentations contributed to the appreciation, but they were probably sensitive to the sincere sorrow that pervaded it. A comparison with Aristides' *Monody for Smyrna* shows that Libanius' speech was less poetic in expression but more moving. Libanius does not observe Menander Rhetor's prescription for monodies with its rigid division of present, past and future, but his speech is more varied and effective.

The other two epideictic orations included in this collection (*Or. 39* and *41*) are consolatory speeches. There is no information about where and to whom he delivered them. In this case also, Menander Rhetor dealt only with consolations for people who had died and he connected this type of speech closely with the monody.<sup>41</sup> In his view, the consolatory speech consisted in the first part of a lament for the deceased and then moved to the consolatory section proper, amplifying emotions. Libanius altered this model significantly, because in both *Or. 39* and *41* the consolation provides only a frame. The sophist briefly consoles the two addressees but also reproaches them for their behaviour, showing that they had become unduly worried and depressed. These speeches do not display a strong sense of bereavement but greatly elaborate the background, painting it in dark, emotional colours. In *Or. 39* Libanius consoled the rhetor Antiochus who was deeply concerned for his professional status since the depraved Mixidemus favoured another teacher. The consolatory frame provides an excuse to launch an attack on this individual, who is abusive and deeply immoral. In *Or. 41* Libanius was full of indignation and reproached not

39 On monodies, see Menander Rhetor II 434 10–437. But Menander discusses only laments for the loss of people.

40 He was invited there in 344 and remained for five years.

41 Menander Rhetor II 413.

only Timocrates but also weak governors who tended to be intimidated by lack of acclamations. He argued that the individuals who denied their applause were not worthy of Timocrates' dejection so that he should not attempt to befriend them. In this case, too, the sophist uses invective to paint a grim picture of immorality.

### Libanius' School of Rhetoric

The school of Libanius included some assistant rhetors (cf. *Or.* 31) who introduced young men to the classics (both poetry and prose). Starting with the preliminary rhetorical exercises (*progymnasmata*) Libanius himself was in charge of teaching and correcting students' work. The curriculum was the same for everybody (*Or.* 34.15). His students came from all over the Roman East and generally belonged to the upper class with a few exceptions, the sons of some unimportant decurions and of teachers (*Or.* 38). Though their ages are not entirely clear, the traditional view that study began at the age of 14 or 15 is likely to be correct. The duration of their study in Antioch varied, with some students leaving after two years to become advocates in the retinue of officials and others remaining for five years or so, if they wanted to pursue an academic career. The letters that Libanius received from parents, other teachers and the students themselves illuminate their study in Antioch, their relations with their teacher and their life when they left. They allow us to identify 196 of Libanius' students from various times, but on average his school had 50 to 80 students in its most successful years.

A.F. Norman studied and translated the most interesting of Libanius' school orations in the collection published posthumously in 2000.<sup>42</sup> Five further orations in this collection (*Or.* 35, 38, 53, 55 and 40) deal to a greater or lesser extent with Libanius' students. *Or.* 53 touches on these young men rather indirectly but shows that they were a constant preoccupation. In this speech Libanius condemned the custom of making boys participate in the banquets at the local festival of the Olympic games. He worried about the potential dangers of improper contacts with dissolute men. The situations he depicted are outrageous in their depravity but the fact that he has in mind his students and his son justifies the graphic details. At the end (29) the disgrace culminates in the diseases that the young men bring home and are ashamed to reveal. *Or.* 35 deals with

42 Cf. Norman's translations in Norman 2000, *Orations* 31, 62, 43, 36, 34, 42, 58 and 3.

young men who had attended his school in the past. By the silence they observed in the Council and in the courts and their lethargic conduct they were the living proof that Libanius had failed as a teacher. At the end of the first part of his *Autobiography* (1.153), he reported the criticism of those who faulted him for producing very few orators. At that time, he defended himself by saying that many of his good students had died and this fact had deprived the city Councils and courts of law. Later, in 382, he responded to similar criticisms with *Or.* 62. Critics recognized that he was good at composing orations ‘better than most people, but nowhere near so good a teacher’ (5). He reviewed all the adversities that affected his profession, among which were rival disciplines, the laxity of parents and the difficulty of rhetorical studies, which discouraged many. To Libanius’ dismay, similar reproaches followed him throughout his entire career. He wrote to his former student Albanus, who continued to compose speeches after leaving Antioch, that he proved that his teacher ‘was not only a wrestler but also a good trainer’. Students like him silenced his critics, who did not try to bite him any more.<sup>43</sup>

**Oration 35** allows us to appreciate some details of the life of Libanius’ former students. He had hoped that the strenuous academic training and his own exhortations would shape these young men for the future, but the reality was different, at least in his eyes. Fresh from rhetorical school, not only did they avoid books and indulged only in social entertainments but they did not even take advantage of the eloquence they had learned in order to advance their positions. With **Or. 38**, we are allowed a glimpse into the schoolroom. In this speech, another teacher, Gaudentius, who was the unhappy father of a bad student, Silvanus, is the protagonist together with Libanius. Here the contrast between good teachers and bad students and good fathers and ruthless sons is so stark that it achieves paradoxical effects. Gaudentius, the embodiment of a responsible teacher, is immortalized in a pedagogical gesture at the moment of death. His son is the epitome of an unfeeling son and an unsuitable and callous student. He enters the school because of his father’s recommendation, does not pay for any tuition, learns slowly, forces his teacher to do extra work and leaves rhetoric as soon as he can to devote himself to a lucrative profession. In addition, Silvanus has a depraved son who also does not pay for tuition (a further affront to the teacher) and corrupts other youths in the sophist’s class. His attendance at the classes of the ‘laughable Libyan teacher’ of Latin (**Or. 38.6**) and his

43 *Ep.* 140 = R8.



loyalty to that instructor represent the most extreme insult. With this the circle of evil closes on itself.

Libanius always felt threatened by rival disciplines such as shorthand,<sup>44</sup> Roman law and Latin. He feared that rhetoric was in danger and had landed 'on the rocks' (*Or.* 40.5) and that traditional education was losing power. At the beginning of *Or.* 40.6–7, he revelled momentarily in the fact that young men who went to Rome learned very little in his view and were no better than 'a slave or a phantom' (6). Yet to his dismay those trips abroad continued, and students kept on coveting disciplines that might open new doors for them. Was Libanius completely intolerant of disciplines such as Latin and Roman law, as scholars have claimed?<sup>45</sup> His attitude was nuanced and manifests some contradictions. Constantius had valued shorthand writing but Julian refused to appoint men who had such skills to the highest positions. Under later emperors, shorthand regained some recognition but was never as strong as before. While Libanius continued to inveigh against it in some orations, in his letters he occasionally recognized that some young men who were good at rhetoric might benefit from this skill.<sup>46</sup>

Latin and Roman law were connected because some knowledge of the former was necessary to go to Berytus where the most well-reputed school existed. An important question, however, is how much Latin was indispensable to attendance and whether classes were conducted in this language. The evidence is not clear-cut and it is possible that Greek students mostly functioned in Greek.<sup>47</sup> They had to learn some Latin but could afford to have only a reading knowledge of it. In spite of the fact that Antioch was occasionally the seat of the imperial court, Libanius did not know Latin and some governors there who were in the same position used scribes and translators. The lack of this language is very surprising in someone like the philosopher Themistius who resided in Constantinople and became urban prefect of the city. In the Roman East a man could be highly cultivated and yet totally ignorant of Latin, but some knowledge of it might improve his chances in the professional market. Libanius seems to have been aware that some skill in Latin would give the finishing touch to students who knew rhetoric, but typically he wished to maintain the teaching of that language under his own aegis. In 356/357 he failed in his

44 This system of symbolic, abbreviated writing was also called 'tachygraphy' and 'stenography'.

45 See Liebeschuetz 1972: 242–55.

46 *Epp.* 300 and 324 = R 103 and 97.

47 Cribiore 2007b: 209–10.

attempts to attract to Antioch a former student, Olympius 4, who lived in Rome. Olympius refused the offer to ‘shepherd the flock’ with Libanius, teaching Latin in his old school. In letter 539 = R152, Libanius confessed that he needed Olympius’ language skills in order to make his students ‘strong in court’. Having failed to appropriate Latin by including it in his curriculum, his attitude became antagonistic in the speeches written in the 380s and later, that is, in those included in this volume.

Some orations like *Or.* 55 and 40 also point to the discrepancy between parents’ and teachers’ expectations with regard to the length of school attendance.<sup>48</sup> Parents wanted their sons to learn the most in the shortest possible time, while Libanius envisaged many years of study at the end of which a youth could impart the discipline of rhetoric to others. He was always vague in this respect and talked rather imprecisely about the necessity of staying in school until one knew ‘the whole’. Yet an academic career and an inordinate number of years of attendance did not suit all young men. Some of them saw a little knowledge of rhetoric as a means to move on to other paths. Situations varied. Some parents might recall their sons so that they could undertake civic service (as in *Or.* 55) and a mandatory short attendance might arise from their anxiety about questionable moral deportment and indulgence in spectacles and chariot races. It is not easy to calculate the length of attendance of Libanius’ students and to know their degree of expertise when they left, because education was less standardized than it is today. Some of the young men who studied in Antioch had already studied rhetoric in their home towns and others wanted to put the finishing touches to their preparation by continuing in other locations, particularly in Athens. Again it appears that Libanius in his letters manifested great consideration and understanding for the realistic needs of his students, but his position became inflexible and immovable in his orations.

## THE TRANSLATION

Of the twelve orations in this collection, only one, *Or.* 61, has been translated before into English – in 1784, by John Duncombe, who produced a free text with misinterpretations. Some of the others have been translated rather inaccurately into French.<sup>49</sup> Scholars of Libanius are familiar with

48 Cf. Cribiore 2007b: 179–83.

49 See the introductions of the various speeches.

the Loeb editions of some of his speeches. A.F. Norman's rendering of his Greek is proficient and accurate, but I differ on some points from his conception of translation.<sup>50</sup> Norman took care to make Libanius' prose palatable to his readers, omitted or added words and rendered proverbs and expressions into idiomatic, current English. It is true that Libanius' texts are sometimes deceptive. He has always had a reputation for being impenetrable, and Eunapius, who unfairly accused him of resurrecting old words that had fallen into desuetude, may have expressed in this way the difficulty he found in his texts.<sup>51</sup> Photius (cod. 90), who revealed that he had not read all the works of Libanius, justified his impatience by pointing to their obscurity. A translation cannot be separated from interpretation and sometimes Libanius challenges us with his quick turns of expression and omissions of names and words that were evident to him and his audience. Norman's Libanius set out to remedy that.

I have chosen, however, to opt for a literal translation whenever I could; that is, I have rendered Libanius' Greek, word for word and line by line. My translations are aimed at scholars and especially students in the hope of demonstrating as well as possible the skeleton of the sophist's prose. The main reason for my choice is that I hope to show readers and students that his pure, Attic prose is not more difficult than some of that of Demosthenes or of Thucydides. The second reason is that I prefer a style that evokes, block by block, the majesty of the Greek language. This is the language to which we were exposed as students and which does not cease to charm us. I do not want to reshape the translation entirely. A text exists in ancient times, in the subsequent reception, and in our modern world. By not updating it entirely, the text can speak in its own terms and with a voice that sounds partly authentic. Charles Martindale declared of poetic texts that 'words are not just a dress to clothe the meaning, they are the meaning'.<sup>52</sup> Prose is not so different a case. Our interpretation of a text should not emerge too strongly through the words we choose. When we change them according to our taste, the meaning is to some extent compromised. The translation might sometimes flow better by introducing changes and idiomatic expressions, but the resulting text will have become ours.

50 Cf. also Norman 2000.

51 Eunapius, *Lives* 16.2.5–6 (496 Wright).

52 Martindale 1993: 82.



**ORATION 61 (358 CE),  
MONODY FOR NICOMEDIA**

On 24 August 358, an earthquake razed to the ground the city of Nicomedia, the capital of Bithynia in Asia Minor. Libanius wrote **Or. 61** to commemorate the catastrophe. Founded by Nicomedes I in 264 BCE, Nicomedia is mentioned frequently in the letters of Pliny the Younger and in Cassius Dio – and Dio Chrysostom celebrated it as a prosperous metropolis (*Or.* 38). The Roman emperors liked to reside there at times; for example, Caracalla spent the winter of 214–215 in the city preparing for his Eastern campaign and indulging himself in chariot races. Diocletian made Nicomedia the capital of the Eastern Roman Empire and it remained such until Constantine declared Constantinople the new capital. In the fourth and fifth centuries, earthquakes greatly diminished Nicomedia's importance. Ammianus described the devastation of the earthquake in 358 (17.7.1–8), which is also mentioned in the *Ecclesiastical History* of Socrates Scholasticus and in the *Church History* of Sozomen in the fifth century.<sup>1</sup>

Nicomedia played an important part in Libanius' life. When he was grudgingly teaching in Constantinople, in 343/344, the governor of Bithynia invited him there to take the place of another sophist (*Or.* 1. 48–57). He got there by way of Nicaea where the inhabitants suggested that he teach there. He had students and started teaching rhetoric but soon moved to Nicomedia, a more secure teaching place because, in addition to the Council's decree, the vicar of Pontus had invited him there. Problems arose including accusations of magic by a rival sophist and by an eminent man (*principalis*) in Bithynia who had recourse to the governor Philagrius 5, who resided in Nicaea. Thus Libanius was taken back to Nicaea, together with seven of his students, but later the affair was resolved and the governor became an admirer of his rhetoric. When in Nicomedia, in a rhetorical

1 Socrates (2.39) dates the earthquake to 28 August. A synod of bishops was supposed to meet at Nicomedia but as a consequence it was transferred to Seleucia in Isauria. Sozomen 4.16.3 noted that the bishops were already on their way to convene in the city but came back because of the earthquake.

competition, Libanius was able to silence his competitor, the other sophist, who apparently lost his memory. Libanius taught in the city for five years which he described as ‘the spring or flower of my life’ (1.51), a period of good health, success, many students, and declamations. He declared that the city preferred none of its numerous beauties over listening to him declaim. He gave lessons even at the baths and considered the whole city his lecture room. He was particularly proud because he was able to check the flow of students towards Athens, something previously unheard of. It is in this period that his resolve to devote his life to rhetoric became firm and, refusing to get married, he declared: ‘My bride was my art!’ He remained in the city until 349 when he had to return to Constantinople because of an imperial summons (*Or.* 1.74–75).

In the city Libanius also acquired excellent friends. Ammianus in his report of the earthquake mentioned Aristaenetus 1, who died when the earthquake trapped him in his collapsed house. Aristaenetus was the sophist’s closest friend in Bithynia and it may be that Libanius hints at his death in section 15 of this oration. Three years before, he had tried to comfort this friend who was devastated by the loss of his wife. In *Ep.* 405 = N6 he revealed that he thought of composing an oration on that occasion but then refrained for fear of being inadequate since his friend was inconsolable. In 358, Constantius II offered Aristaenetus the very prestigious position of *Vicarius Pietatis Ponticae*, a new diocese in honour of the empress Eusebia (Ammianus 17.7.6) and Aristaenetus was in office when he died. In *Ep.* 26 = R191, Libanius declared, ‘I am also one of those submerged by the great wave. O Zeus, Aristaenetus is dead’. In *Or.* 1. 118, he expressed his grief for a city he loved and for the death of an intimate friend with whom he had often corresponded (he addressed 36 letters to him). He said that his own hair had turned white suddenly at that shocking event. Afterwards, his friends tried in vain to comfort him and finally suggested that he compose orations to commemorate the destruction of Nicomedia and the death of Aristaenetus, and Libanius did so. He composed an oration for his friend, a lamentation (*threnos*), which we know of only from his letters because it has not been transmitted.<sup>2</sup> In *Ep.* 33, however, he said that he did not consider either speech his own but the work of Grief. They were so private that he delivered these two epideictic discourses only to an audience of

2 Letters that concern Nicomedia and the loss of Aristaenetus are 33 = N37; 30; and 36, all to his friend Demetrius 2 of Tarsus; 388 = N39 to the governor Strategius Musonianus, who also was a friend of Aristaenetus.

four friends, avoiding a public performance. After their delivery, however, the listeners took away the scroll containing these texts and distributed them very widely.<sup>3</sup> Foerster remarked that *Or. 61* was much admired for its elegance and that it was transmitted not only in the corpus of Libanius' works but also in other manuscripts.<sup>4</sup> In addition to his great pain at the loss of his friend, in this period Libanius suffered the deaths of his mother and her brother. Only Julian's accession to the throne a little later helped him recover (*Or.* 1. 118).

Libanius' deep grief and sincere attachment to Nicomedia confer upon this oration a personal, heartfelt tone.<sup>5</sup> The speech is formal and cultivated as the sophist attempts to build up the city's foundations and ramparts through myth. The many literary references, however, do not clog Libanius' stream of consciousness because they are tightly intertwined with his personal sorrow. His model supposedly was Aristides' *Monody for Smyrna*, *Or.* 18 (Keil), which he composed in 177 when he received news of the earthquake that occurred there. G. Karla in an article about mimesis compared the two orations stylistically and concluded that Libanius wrote a more poignant monody that recalled Aristides in some of its vocabulary and poetic phrasing but surpassed the rather frigid oration of his predecessor.<sup>6</sup> She also remarked that the Atticist Aristides had in this case employed an Asianic style, creating a highly poetical prose with short, emphatic sentences. Libanius, however, imitated him only in moments of high pathos (cf. notes, below) but as a rule continued to use his own style, with long sentences. It is important to notice, however, that a proper comparison between Libanius and Aristides would also need to include Aristides' *Or.* 17, *The Smyranean Oration*, delivered perhaps in 157, which is a panegyric of the city that shows the governor all its beauties. Only one day after the earthquake, Aristides supposedly also wrote *Or.* 19, *A Letter to the Emperors Concerning Smyrna*, in which he invoked their help on behalf of the stricken city. The vocabulary of Libanius, in fact, sometimes evokes that of these two orations of Aristides. It should also be taken into account that when an earthquake destroyed Rhodes during Aristides' stay

3 Cf. *Ep.* 33.4: 'They allowed very few to remain unacquainted with it'. These are examples of epideictic orations not delivered publicly.

4 Foerster 1903–27: Vol. IV, 322.

5 Cf. Schouler 1984: 922–26.

6 See G. Karla, 'Die Klage über die zerstörte Stadt Nikomedeia bei Libanios im Spiegel der Mimesis', in M. Grünbart (ed.), *Theatron Rhetorical Culture in Late Antiquity and the Middle Ages* (Berlin, 2007), 141–56.

in Egypt in 142 he delivered an oration that is now lost but that Libanius may have known and used in writing *Or.* 61.

Keeping Aristides' panegyric for Smyrna in view is also legitimate because Menander the Rhetor stated that a monody had to mix encomia with lament.<sup>7</sup> Menander included in this genre only lamentations for people. Like Libanius, who recalls the *Iliad*, he begins with Homer, who had given monodic speeches to some of his characters, such as Hecuba (e.g., *Iliad* 24.747–59). Homer also found it appropriate to begin the *Iliad* by invoking the gods and complaining against them and an unjust fate, just as Libanius refers to Poseidon's cruelty and then includes all the gods and their lack of pity.

Bernard Schouler remarked that Libanius' description of the city and its landscape as a body with different limbs (see notes below) corresponded to Menander's depiction of a deceased person in his rules for monodies.<sup>8</sup> One notices the same feature in Aristides' *Or.* 17.9, where the rhetor compares to the human body the individual parts of a city that are harmoniously compatible with the whole. Likewise, in 18.3 and 8, Aristides mentions feet and says that the fallen city was the head and eyes of the earth and in 19.3 he remarks that the harbour had closed its eyes. This theme is not only a feature of monodies in Menander's account. It is also prominent in all of Aristides' works and should be considered in the light of the *Sacred Tales* with its minute details regarding his physical body.<sup>9</sup> I suggest, therefore, that the way Libanius views the landscape in *Or.* 61 in the form of the human body and closely links the two is a prominent part of his rhetorical inheritance.

Reiske successfully emended the text. An English translation (with mistakes) made by the poet and writer John Duncombe in 1784 is included in *Select Works of Julian*, vol. 2, pp. 227–42. The third edition (London 1798) has a few notes that the translator attributed to a 'kind friend'.

7 *Treatise* II, 434 10–437 (Russell and Wilson 1981).

8 Schouler 1984: 923.

9 See Petsalis-Diomidis 2008: 131–50.



## SYNOPSIS

- 1–2 Proem, silence is not appropriate.
- 3–6 Invocation to Poseidon and history of the city.
- 7–10 Encomium of Nicomedia and *ekphrasis* of her beauties.
- 11–13 Injustice of the gods.
- 14–15 Narration of the events.
- 16–22 Pathetic invocations and lamentation (*threnos*).
- 23 Epilogue.

1. And yet Homer did not pass over the destruction of a plant without expressing pity, but, as if he were the man who planted it and toiled for it, when he saw it all stretched out on the ground, he sang a kind of dirge to the shoot.<sup>10</sup> And shall I shed silent<sup>11</sup> tears as the masses do for the city of Nicomedes,<sup>12</sup> where I augmented the eloquence I had and acquired the fame I did not have,<sup>13</sup> that which was recently a city but now<sup>14</sup> is dust, and for the fate of so many? Or shall I instead, share in the eloquence that she nourished?<sup>15</sup> 2. Indeed, if I happened to be a flute player and had won many victories there for my flute playing, I would let others groan as best they could and I would fully express my lamentation with a mournful song.<sup>16</sup>

10 The reference is to *Iliad* 17.53–58. Menelaus killed the Trojan Euphorbus and Homer compared his sudden death to the falling of a small olive tree. The man who planted it nurtured it with every care but the wind of a tempest threw it to the ground. In Duncombe 1798, there is a comment that, if Libanius had been acquainted with Christianity and did not suffer from pagan prejudices, he would have noticed the comparison with a plant brought from Egypt in Psalm 79(80):8–16.

11 The theme of silence that should be broken often opens several speeches of Libanius: see also the proems of *Or.* 38, 41 and 53. Cf. Aristides, *Or.* 18.1 on the refusal to be silent.

12 This city was initially a Greek colony in the eighth century but was then rebuilt in 264 BCE by king Nicomedes I (c.300–255 BCE). Nicomedes spent many years battling against his brother and foreign enemies. The city is now a small village by the name of Schemith.

13 Libanius immediately brings forward his personal attachment to the city. He means to say that this is not a conventional monody but that he was deeply bonded to Nicomedia because his success as a rhetor and sophist there started a chain of successes. In the city, moreover, he supposedly had Basil of Caesarea among his students. The evidence for this is not entirely certain but a letter of Basil's brother Gregory of Nyssa appears to make the connection (letter 13, Maraval 1990).

14 The adverb moves the scene from the past Nicomedia of Libanius' youth to the city that perished in 358. A constant movement from past to present appears in this speech by comparing Nicomedia's past beauty to the present devastation.

15 A grand beginning with Homer in first place and rhetorical questions.

16 Like a flute player playing a mournful song, Libanius feels entitled to utter his song of

Therefore let me address the gods<sup>17</sup> as if they were present and bring to public scrutiny the story of this catastrophe.

3. O Poseidon, once when you sat in assembly with the other divinities in the abode of Zeus, resenting the wall that the Greeks built before the ships at Ilion, didn't you name as their greatest offence that they laid the foundations with no regard for the gods?<sup>18</sup> And to benefit them because of this when Ilion was taken, didn't you believe that it was necessary to destroy the wall too, and you did this easily, by commanding the rivers that flowed down from Ida to rush onto it?<sup>19</sup> 4. Why did you hold Nicomedia's foundation accountable and so make a similar decision?<sup>20</sup> Didn't the first founder start the work with you,<sup>21</sup> when he attempted to build the city elsewhere, right opposite where this one is (or rather where she is not any more)?<sup>22</sup> There were victims on the altars and a crowd around them, but you turned your attention to the hill and to the eagle and the serpent.<sup>23</sup> With its talons, the former snatched from the fire the head of a sacrificial victim and the latter emerged from the earth, huge as those that India is

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lamentation because of the happiness he found in the city. The flute is associated with dirges but it is also possible that Libanius is referring to something more specific. Around 180–192, Nicomedia erected a statue at Delphi honouring a famous citizen, T. Aelius Theodotus, a flute player. See the inscription *Fouilles de Delphes* III 6.143 and *Tituli Asiae Minoris* IV 34.

17 Cf. Menander Rhetor II 435.10.

18 *Iliad* 7.442–63; when the Achaeans built a wall and a rampart to defend their ships, Poseidon protested to Zeus that they had not made sacrifices to the gods and that the fame of the wall would surpass that of the wall that Poseidon and Apollo had built for the Trojan king Laomedon before the Trojan war. According to the myth, Laomedon had made many promises to the two gods as a recompense for building the wall but he did not fulfil them. Apollo then sent a pestilence in retaliation and Poseidon a huge serpent. Heracles killed the monster but ended up punishing Laomedon again because the king did not keep his promise to give him his magical horses. In Homer, Zeus reassured Poseidon that the god could destroy the wall once the Achaeans had gone home.

19 *Iliad* 12.10–33; when the war was over Poseidon and Apollo decided to sweep away the wall by driving against it all the rivers that flowed from the mountains of Ida. Zeus rained continuously and Poseidon with his trident swept away the wall of beams and stones and covered the beach with sand.

20 The decision to destroy it, as he had destroyed the wall.

21 By making a sacrifice and invoking the god.

22 Libanius is probably referring to Nicomedes I, who, according to Pausanias 5 12.7, renamed the city Nicomedia. It was previously called Astacus and had been founded by Zypoetes, a Thracian. The geographer Strabo gave a similar account (12.4).

23 It is uncertain if Libanius made up this account of the foundation or took it from some literary source. It is possible that he referred to an account of the foundation because he reports such a wealth of details.

said<sup>24</sup> to breed; the one cut its way through the air and the other through the sea, and they stopped together on top of the hill, and people followed them, believing that they were following the gods who were leading them. 5. But all this was deceitful.<sup>25</sup> First the city is submerged by a wave of war.<sup>26</sup> Be it so, for Corinth was a possession of yours<sup>27</sup> and you loved the land of Cecrops.<sup>28</sup> Then comes the second founder, one, moreover, who made the gods leaders of kings.<sup>29</sup> He surpassed Croesus<sup>30</sup> with the magnitude of his sacrifices and restored the city with your approval. For what negligence did she incur punishment, like the land of Oineus, king of the Aetolians?<sup>31</sup>

24 The words 'is said' do not refer to the presence of the serpent at the foundation of Nicomedia but rather to the tradition of India nurturing huge serpents. The Roman writer and teacher of rhetoric Claudius Aelianus, who lived in the second/third century CE and wrote in a Greek much admired, composed a work of natural history, *On the Nature of Animals*. In books 15.21 and 16.39, he wrote that when Alexander went to India a huge serpent threatened the army.

25 'Deceit' (ἀπάτη) from the gods, a strong word. Libanius many times manifested his anguish at the fact that the gods did not protect men and maintain their promises; for example, when Julian died Libanius expected Zeus to shower bloody drops of rain as he did on Sarpedon (*Or.* 17.33). Cf. *Iliad* 459–61.

26 Nicomedes III (127–94 BCE) was twice driven from Nicomedia by Mithridates VI, king of Pontus. They had quarrelled over the possession of Cappadocia.

27 Libanius means to say 'and yet you destroyed them'. Both Corinth and Athens suffered destruction even though Poseidon loved them – an elliptical phrase. Pausanias 2.1.3 says that part of Corinth was dedicated to Cromus, the son of Poseidon. Moreover, at 2.1.6, the historian reports a legend of the Corinthians that Poseidon disputed with Helios about the land and that Briareus who arbitrated assigned the Isthmus to Poseidon and the heights above Corinth to Helios. Pausanias added, however, that the Athenians too related a similar story 'to glorify Attica'. Libanius in any case accepts the legend.

28 Cf. Aristophanes, *Clouds* 301, 'the much beloved land of Cecrops' that is, Athens. Cecrops was the first mythical king and founder of Athens. He was born from the earth, was half man and half serpent or fish-tail, and lived on the Acropolis. He proclaimed Athena the patron goddess of the city (cf. below).

29 This second founder of Nicomedia is likely to be Diocletian, who gave the city many new buildings and baths. His persecution of Christians in 303–304 was the last and most severe. All Christians were required to sacrifice to the gods.

30 Herodotus 1.50–51 describes Croesus and his sacrifices to Apollo. Libanius often mentions Croesus, king of Lydia for his proverbial wealth, sometimes by himself and also in the company of Gyges, Cinyras and Midas. In *Or.* 52.29, he proclaims the superior happiness of Solon even though Croesus was much richer. Only here, however, is Croesus mentioned because of the richer and larger sacrifices that his wealth afforded him. His wealth, therefore, contributed to his piety, the first positive quality the sophist mentions about the king.

31 See *Iliad* 9.530–49. When sacrificing to the gods Oineus, king of the Aetolians, forgot Artemis and the goddess in retaliation sent a wild boar to destroy his country. Finally, the king's son Meleager assembled a host of men and dogs and was able to kill it.

6. Was it noble or godlike to disperse with your hands the works that you helped mortals to fashion, and to imitate the ways of children who find it delightful to demolish what they have made?<sup>32</sup> O Poseidon, was it noble of you to quarrel with your family<sup>33</sup> over the city in Attica that was not yet powerful there<sup>34</sup> and to show the crushing waves to the acropolis that was so far from the sea, and far from loving<sup>35</sup> such a great and important city (as Nicomedia) to undermine it from the foundations?

7. What city was I would not say bigger, but more beautiful than she was?<sup>36</sup> In size she fell short in comparison to the other four cities<sup>37</sup> because she did not value magnitude of the sort that would weary her citizens' feet; but when it came to beauty she outdid some cities and was equal to others. Certainly she was unsurpassed: she received the sea into her enfolding embrace, penetrated into the sea with her promontories, mounting on the breakwater, and climbing up the ridge. She was divided by four colonnades that extended the whole length of her. She was splendid in her public buildings and an unbroken series of private dwellings from the flat land to the summit like the branches of the cypress, layer upon layer,<sup>38</sup>

32 Cf. *Iliad* 15.360–64; Apollo easily destroyed the wall of the Greeks, as children do when they destroy with feet and hands what they have built by the sea. In *Or.* 18.7, Aristides compares some catastrophes to the sack of Ilium or the destruction of Thebes and calls them children's play. Libanius is more faithful to the Homeric comparison of children destroying sandcastles. The term ἄθρομα (plaything) is Homeric (*Iliad* 15.363).

33 The word γένος (race) here denotes a descendant or member of the family, that is, Athena, as the scholiast wrote.

34 Athens. According to the myth (Apollodorus 3.14.1), Poseidon and Athena competed for the possession of Athens and it was decided that the city was going to belong to and be named after the one who brought the best gift. Zeus assembled the twelve gods (cf. Ovid, *Metamorphoses* 6.72) as arbiters and they chose Athena who brought the olive tree and named the city after herself. The king of the city Cecrops accepted her as the patron of the city but Poseidon in a great rage flooded the Attic plain, which remained under water for a long time.

35 An unusual construction (μὴ ὁπως), for which see Smyth 1920: 2763.

36 Here begins a short ekphrasis (description) of Nicomedia. In the following section, Libanius will present her beauties as they appeared to him when he was travelling to it.

37 These foremost cities are, besides Antioch, Rome, Alexandria and Constantinople. They are the rivals of Libanius for different reasons. He lost students to Rome and did not know Latin, and he usually did not have good words for Alexandria and the Egyptians, except in *Or.* 42.16, on account of his admiration of Neoplatonic philosophy. Constantinople, moreover, was the city he detested most and always tried to escape from as his *Autobiography* shows repeatedly. He considered its citizens uncultivated, interested only in material needs, and unable to appreciate his rhetoric.

38 The ancients liked cypresses for their height and beauty, see, e.g., Plato, *Laws* 625b8

flowing with streams and flanked by gardens. 8. As for council chambers, lecture halls, the large number of temples, the magnitude of the baths, the fitness of the harbour, I saw all these things, but I would be unable to describe them.<sup>39</sup> But this much I will say that when we<sup>40</sup> frequently went there from Nicaea,<sup>41</sup> traversing the whole region, we talked about the trees and the land, which was good for bearing anything and about relatives, friends and old wisdom.<sup>42</sup> But after we passed the windings of the mountains,<sup>43</sup> when the city appeared (this happened when the distance was 150 stades),<sup>44</sup> when she shone forth, silence<sup>45</sup> ensued about everything else and all the conversation was about the city. 9. And neither the fruits hanging on the branches attracted attention, nor the level fields of corn, nor those who laboured on the sea – and yet the seaman naturally attracts the eye of travellers, when he wields the oar, throws the net and ensnares fish with hooks<sup>46</sup> – but the form of the city had a greater power to bewitch. Masterful in her beauty, she made the eye look in only one direction: towards herself. Both the man who sees her for the first time<sup>47</sup> and the

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and Plutarch, *Phocion* 23 (who compares big, tall youths to handsome cypresses that bear no fruit). Libanius' observation seems original as he noted the numerous beautiful private houses spreading out over the hills. Antioch had many cypresses (300 as he says in *Or.* 11.236, 238). He also valued highly the cypresses in Daphne and strove to prevent an anonymous governor from chopping them down and incurring Apollo's wrath, *Or.* 1.255 and 262.

39 Cf. Aristides 17.1: the sights of Smyrna greatly challenge the orator who wants to describe them.

40 One wonders who was travelling with him, friends probably and slaves, or maybe even students; cf. following note.

41 Duncombe reported that the distance between Nicaea and Nicomedia was 32 miles. After leaving Constantinople, Libanius says in *Or.* 1.48 that the city of Nicaea in Bithynia invited him there with a decree of the Council. The patron deity of the city was Dionysus, to whom he paid his respects. Nicaea was the birthplace of Libanius' friend Aristaeetus, who was buried there after he died in the earthquake. The house of Aristaeetus in the city was still in place many years later in 388 when Libanius wrote to a friend who was taking care of it, expressing once more his affection for the city (*Ep.* 901 = N153).

42 Libanius often calls philosophy σοφία (by which he does not mean simply 'wisdom'). The combination with the adjective 'ancient' (παλαιᾶς) occurs only here. Thus 'old wisdom' may mean classical philosophy. Perhaps they were discoursing about Plato, Libanius' favourite philosopher.

43 Forests and mountains occupy the region behind Nicomedia. The most important mountain was 'Mysian' Olympus that rose to 2,500 m.

44 About 19 miles.

45 One feels the sense of awe.

46 An attractive vignette of the seashore.

47 Aristides in *Or.* 17.7 is in charge of showing the city to a spectator who arrives at

one who was growing old there had the same intense feeling. **10.** Thus one would show his neighbour<sup>48</sup> the palace glittering on the bay,<sup>49</sup> another the theatre surpassing the whole city in splendour, and a third different radiances shining from yet other places. It was hard to discern what was pre-eminent. And thus we rode up in awe, as if we were reverencing a sacred image.<sup>50</sup> On proceeding to Chalcedon,<sup>51</sup> it was necessary to turn [and look back] until the nature of the road took away the spectacle and it seemed like the end of a feast.

**11.** How would the whole chorus of the gods not keep watch over such a city, standing around her and exhorting each other to pay heed that it should never come upon any evil? Now, however, some attacked<sup>52</sup> and others retreated, but none came to her defence. All that I described once was, but now it does not exist. **12.** O god, what a jewel he has taken away from the world!<sup>53</sup> How has he blinded the rest of Asia Minor by knocking out its noble eye! How has he poured down on Asia an awful deformity, as if he had cut off the tallest trees in a grove<sup>54</sup> or chopped off the nose of a

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Smyrna for the first time. He takes this man by the hand and guides him. Libanius' point is that both the traveller who saw her for the first time and someone who grew old in Nicomedia had the same feeling of awe in looking at her. The sophist is somewhere in between because in section 8 he said that he went there frequently.

48 These indications of the gleaming parts of the city are intended to represent the impressions of those approaching from a distance still. He presents himself as part of a little group travelling towards the city. Unlike Aristides, who is simply a person who shows Smyrna to a foreigner, Libanius is discovering Nicomedia little by little and is deeply involved in this experience. His account thus is much more effective and moving than that of his predecessor.

49 Presumably the palace built by Diocletian who initiated his persecution of Christians; cf. Eusebius, *Church History* 8.2 and Lactantius, *How the Persecutors Died*, chap. 12: Lactantius was in Nicomedia when it started.

50 Aristides 17.8 says that Smyrna is worthy of appearing like an image of a city in heaven.

51 The city of Chalcedon in Bithynia was on the sea directly opposite Constantinople.

52 Poseidon first of all but presumably also Hephaestus, the god of fire, since fire completed the devastation of the earthquake.

53 Cf. Aristides, *Or.* 18.8: 'Such is the head you took away from our people, such is the eye that you have plucked out! Ornament of the earth!' In 19.1, Aristides dubbed Smyrna 'the ornament of Asia'. See also 18.9, where he calls Smyrna 'eye of Asia.' In the panegyric for Smyrna (17.10 and 14), Aristides repeatedly calls the city a necklace made of various precious stones. In this and in the following section the phrases are chopped and emphatic and the tone is very rhetorical in an Asianic style that Libanius rarely adopts.

54 Cutting off the treetops would ruin their beauty entirely. *Homoteleuton* links the participles in this phrase and the next (ἐκτεμὼν ... περιτεμὼν).

most beautiful visage!<sup>55</sup> O most unjust earthquakes, why did you do this? O city that has disappeared! O name, which remains in vain!<sup>56</sup> O pain running through land and sea! O news that shook the heart of people of every age and condition! **13.** Who<sup>57</sup> is so made of stone or steel that the tale did not wound his soul? Who is so much stronger than tears that he didn't break into tears? O disaster that mingled the city's innumerable beauties into one single heap. O unpropitious sunray, what a city did you strike upon rising up and what a city did you leave when you set?

**14.** The hour was almost that of the full market,<sup>58</sup> but the gods, the guardians of the city,<sup>59</sup> had abandoned the temples, and she was riding like an abandoned ship. The lord of the trident<sup>60</sup> shakes the land and convulses the sea. The city's roots<sup>61</sup> were not planted firmly anymore, but walls were falling on walls and columns on columns, roofs were collapsing and foundations were leaping up. Everything was falling in disarray. What was hidden became visible and what was visible was hidden. The sudden attack was mixing together in a single ruin all the shapes and joints and the form that gave shape to her limbs.<sup>62</sup> **15.** Men who were busy at work were hurled about in public and private buildings. At the harbour there was a huge carnage of good people, the chosen men who were assembled around the governor.<sup>63</sup> The theatre was torn apart and brought down all

<sup>55</sup> Libanius is probably thinking of a statue but this is again a reference to the human body.

<sup>56</sup> Nicomedia was then rebuilt but on a more modest scale.

<sup>57</sup> Anaphora in this and in the following three phrases for heightened pathos.

<sup>58</sup> Early in the morning. Ammianus 17.7.2 says: *primo lucis exorto* ('when first light appeared'). Ammianus in 17.7 1–8 gives a full report on the falling of Nicomedia. After a dense fog, raging gales and mighty waves were followed by whirlwinds and waterspouts and finally by a destructive earthquake. Most people died but many of the temples and houses might have been saved had not a fire, which lasted for five days and nights, consumed everything. In the sections following (7.9–14), Ammianus introduced a long digression on earthquakes. In this and in the following section, Libanius offers a poetic narrative of the earthquake and its disastrous consequences.

<sup>59</sup> Another reproach to the gods who failed to protect the city. In sections 3–6, Libanius considers Poseidon personally responsible of the catastrophe.

<sup>60</sup> Poseidon.

<sup>61</sup> Hesiod already in *Op.* 19 uses the word 'root' for 'foundation of the earth', but here the term emphasizes the similarity of Nicomedia to a beautiful flower or plant that was pulled out most unjustly.

<sup>62</sup> The city is now a gigantic fallen body broken to pieces.

<sup>63</sup> It is uncertain who these 'chosen men' are, maybe officials concerned with harbor affairs.

that it encompassed. There was constant flight into structures that had not yet collapsed, but men were buried when they were inside.<sup>64</sup> The sea was overpowered and overtook the land.<sup>65</sup> The flames that were everywhere catching on the woodwork compounded the earthquake with conflagration, and they say that the wind fed the flames.<sup>66</sup> Now the vast city is a vast heap of stones. The few who escaped roam around injured.

16. O Sun, you who see everything,<sup>67</sup> what did you feel when you saw this too? How did you not hold fast so great a city as she left the earth? You go to great lengths<sup>68</sup> for the cattle that the hungry sailors stole and threatened the gods in heaven that you would give yourself up to Pluto.<sup>69</sup> Yet, don't you pity the adornment of the earth, the labour of many kings, the masterpiece that cost long labour, which was been snatched away in broad daylight? 17. O most beautiful of cities, how treacherous from the very beginning was the ridge you committed yourself to: it was bad and imitated the bad horse that has thrown the good rider off its back. Where [are] the alleys?<sup>70</sup> Where the colonnades? Where the avenues? Where the fountains? Where the market places? Where the schools of rhetoric?<sup>71</sup> Where the shrines? Where that prosperity? Where young men? Where old men? Where the bathing places of the Graces and the Nymphs themselves,<sup>72</sup> the greatest of which takes its name from the emperor who completed it and is the equivalent of

64 His friend Aristaenetus died of starvation buried in his house (Ammianus 17.7.6). Here Libanius uses the neuter perhaps to express the universal instinct to get under cover.

65 The phrase seems to indicate the tidal wave (tsunami) that often follows an earthquake.

66 Ammianus too mentions the fire (17.7.8).

67 Aristides invokes the sun with similar words in 18.7. Cf. also his *Rhodian Oration* 25.31 with the invocation to 'Zeus and the Sun who observe everything except Rhodes'.

68 The historical present for effectiveness.

69 When Odysseus arrived at the island where the Sun kept his cattle he remembered a warning from Circe not to touch them. In spite of his exhortations, his comrades killed and roasted some. The Sun, enraged, threatened the gods that he would leave the sky and go to Hades (ruled by Pluto) (*Odyssey* 12.383).

70 This section is very rhetorical and replete with brief questions full of pathos.

71 This word (μυσεῖα) in general means 'schools' and Libanius appears to take it in this sense in *Or.* 11.139 in his encomium of Antioch. As a rule, however, both in orations and letters, he refers to schools of rhetoric, for example, in Athens (*Ep.* 641) and to his own school (e.g., *Ep.* 37). Here he must refer to the school of rhetoric where he taught so successfully. It is possible that there was more than one rhetorical school in Nicomedia.

72 The Graces (Charites) and the Nymphs were worshipped but they usually appear as attendants of gods, such as Aphrodite. They are often depicted together in poetry and art. While the Nymphs are often associated with water, the Graces are not.



a whole city?<sup>73</sup> Where now [is] the Council? Where the commonwealth? Where the women? Where the children? Where the palace? Where the hippodrome, which was mightier than the walls of Babylon?<sup>74</sup> **18.** Nothing is safe from violence, nothing is invulnerable. Everything is liable to catastrophe.<sup>75</sup> O numerous streams, where are you flowing now? To which houses and fountains? The channels and the branching watercourses are broken off. The abundant running waters flow down as it is like<sup>76</sup> forming violent torrents and stagnating in hollows. No one draws water or drinks, neither men nor birds. Fire is frightening to them: it creeps through all the ground below and shoots up to the air wherever the upper ground gives way. Nobody inhabits that populous city during the day, yet at night there is a population of ghosts which, when it crosses Acheron, will, I think, make the space too crowded for those underground.<sup>77</sup> **19.** Lemnian horrors,<sup>78</sup> and an Iliad of woes<sup>79</sup> are commemorated, and their memory will remain, but one who wants to do so will point out the excess of calamities from this quarter. Already in the past, did an earthquake take away one part and spare another, but levelled this city.<sup>80</sup> Already it had levelled some cities, but it had not made such a great one bend. If it had been deprived only of

73 Libanius is alluding to Diocletian, who had a real passion for building and was criticized for it by the Roman writer Lactantius (c.250–325). Lactantius was appointed by the emperor as sophist in Nicomedia. We do not know of grandiose baths that Diocletian built in Nicomedia but those he built in Rome were famous for their size and opulence.

74 Herodotus 1.178–81 describes the city of Babylon and especially her mighty walls. These walls, the fortifications of the city, were famous in antiquity and were included in some lists of the seven marvels of the world. Diocletian (emperor from 284 to 305) built a hippodrome when he made Nicomedia his capital in 286.

75 It is unclear if Libanius here is making a general, philosophical observation or if he is alluding to the specific disaster in Nicomedia, saying: ‘Nothing was left standing and escaped; everything was involved in the ruin’.

76 ‘In all probability or as it is like’, following the conjecture of Morel, κατὰ τὸ εἰκός. The conjecture of Foerster (κατὰ τὸ εἶκον, ‘along the path of least resistance’) is more difficult but cannot be definitely ruled out. A meaning such as ‘randomly’ would seem more likely.

77 A paradoxical but effective statement. Acheron is one of the rivers of the underworld.

78 In *Ep.* 25 = N36, to a doctor in Constantinople to whom he described his physical problems, Libanius called the disaster of Nicomedia ‘Lemnian horrors’. This proverbial expression appears in Herodotus 6.138. The historian narrates that the Pelasgians, who were at that time living on Lemnos, carried away many Athenian women. They ended up killing them together with the sons that the women bore to them when they felt threatened by them.

79 Demosthenes, *On the False Embassy* 148. This felicitous expression appears sometimes in later literature, e.g. Synesius, *Ep.* 95.29.

80 Maybe Libanius is alluding to the 120 CE earthquake that spared the historian and senator Arrian of Nicomedia who may have been absent from the city.

people wasted by the plague,<sup>81</sup> or even of all those who were sacrificing in a body outside of the city according to the law,<sup>82</sup> and had not fallen, it would not necessarily have cut down the whole city.<sup>83</sup> Now both<sup>84</sup> are laid low, and the form of the town has been destroyed with the annihilation of its citizens. **20.** Let every island and every continent moan,<sup>85</sup> and farmers, seamen, villages, huts,<sup>86</sup> and all that is connected to human nature, and let a wailing fill the world, such as that in Egypt at the demise of Apis.<sup>87</sup> Now rocks should have tears and birds<sup>88</sup> should have minds to give a mournful concert. **21.** Alas for the harbour from which fleeing ships put to sea, hastily cutting the mooring cables! You, that were so full of trading vessels, now do not even show a fishing boat sailing in, but are more frightful to merchants than the dwelling place of Scylla.<sup>89</sup> Alas for the disappointment to wayfarers who no longer travel the crescent-shaped and shady road that

81 In *Or.* 1.77, Libanius describes two visits to Nicomedia in 350 and 351 after returning to Constantinople with great regret. He found that Nicomedia was struck by the plague in 350.

82 In 350, Constantius prohibited pagan sacrifices. Thucydides 1.126.6 describes a great common feast in Athens with sacrifices to Zeus Meilichius. Libanius may allude here to those people assembled in the harbour around the governor (section 15).

83 This verb (*ἀποκείρασθαι*, 'cut down') usually occurs in the context of mourning.

84 Both the people and the city with its buildings and constructions.

85 That is, Asia Minor (the island) and Europe.

86 The list of those in mourning starts from the inhabitants of the world and ends in small cottages.

87 The Apis bull was the most sacred of the animals of Egypt and was the manifestation of the god Osiris. It was worshipped in the region of Memphis. It was black with a white diamond on its forehead and other special markings. There was only one Apis bull at a time. When it died all the people were in mourning and the priests uttered loud cries. Then the search for a new Apis began. Many authors mentioned the bull and its cult, starting with Herodotus. The historian in 3.29 says among other things that when the Persian king Cambyses invaded Egypt he did the most insulting thing possible to the Egyptians by killing and eating the bull. Lucian (e.g., *On Sacrifices* 15.5), Philostratus (*Life of Apollonius of Tyana* 3.3) and Plutarch (*On Isis and Osiris* 580e) talked about Apis. Libanius mentioned it again in his *Encomium of the Bull* (*Prog.* 8.8.14) saying that the Egyptians worshipped it as much as the Greeks did Zeus and the other gods.

88 Probably Libanius would like to be carried by one of those birds as he imagines flying to the city in the epilogue.

89 In *Odyssey* 12, Homer describes Scylla as a sea monster with six heads which lived in a cave and Charybdis as the personification of a whirlpool; both monsters were lethal to sailors. Odysseus was forced to choose between them and opted for Scylla. He lost six companions but not the whole ship. See also Apollonius 4.789 and 827–31 for a description of the genealogy of Scylla. In later literature writers located the sites in the strait of Messina, Charybdis on the coast of Sicily and Scylla on that of Calabria.

ran pleasantly around the end of the bay! They now embark on a ship and coast past the hill towards which they used to hasten, fearing it as if it were Charybdis, estimating on the sea the things that stood before. **22.** O dearest of cities, you broke people down with your suffering, you stunned them with this calamity, and the whole of mankind is seated in supplication, thinking that the end of the world has been adjudged. For nothing would any longer be spared after (the loss) of the most beautiful city.

**23.** Who would carry me there on wings?<sup>90</sup> Who would set me on the hill? It would be a horrible spectacle but the lover finds some consolation in throwing himself upon his beloved who lies dead.<sup>91</sup>

90 A very short conclusion according to the usual style of Libanius. He is again present at the end in his own person, the same 'I' of the proem, which became a 'we' in the journey towards the city. He longs to fly to the dead city.

91 Libanius is such a lover and his pain is eloquent. In *Monody* 18 10, Aristides ends with the myth of Phaethon who perished when he drove his chariot too close to the sun. His grieving sisters were changed into poplars and Aristides wished for the trees themselves to mourn for the destruction of Smyrna. The general effect is less powerful than in Libanius.

## **ORATION 37 (AFTER 365), TO POLYCLES**

Libanius composed this oration to defend the emperor Julian from a slanderous accusation that is mentioned nowhere else. Two men, Helpidius and Polycles,<sup>1</sup> who are known from other sources, maintained that Julian had given a court doctor a jewel that had belonged to his mother, Basilina, as an inducement to poison his wife, Helena. The outrageous accusation triggered Libanius' indignation and rage and he conceived the present oration as an open invective against Helpidius, who had first voiced the accusation, and as a subtler (but not less venomous) attack against Polycles. Savage invective (to which I will refer below) and the defence of Julian, however, are not the only themes of this speech. A passionate encomium of the emperor, the interlacing theme of friendship between several people, the knowledge that Libanius reveals of human nature and of psychological motivations, and the picture of people relying on astrology make the study of this oration particularly rewarding.

### **The Accusations**

The first accusation that Polycles launches against Julian is a claim that the emperor was too lavish in giving gifts, and in particular that he granted some large villages to some eunuchs. We know from *Or.* 13.43 that Julian, on becoming emperor after Constantius II, tried to trim expenses but continued to reward soldiers with gifts for their labours. No source, however, mentions that he granted gifts to eunuchs. Libanius, on the other hand, does comment elsewhere on 'large villages' and their importance. In *Or.* 11.230, he mentions with some pride large villages that were more populous than many towns. They were the glory of Antioch and rivalled the cities. They were completely self-sufficient and did not require much from the cities. They bought and sold produce, were joyous and celebrated

1 Helpidius 4 and Polycles, *PLRE* I: 712.

festivals. His vision of the villages in this oration was in any case very idealistic. In *Or.* 47.4 and 11 (*On Protection Systems*), Libanius mentions these κῶμαι μεγάλοι (large villages) that belonged to many owners and were protected by the soldiers stationed in them; the villages repaid the soldiers with the produce of the land. Finally, in *Or.* 39.11, an invective against the despicable Mixidemus, this man is shown as insinuating himself into the large villages to reap profits.

The evidence concerning Julian and eunuchs is not straightforward. In general, the emperor was not favourable to eunuchs, who had gained huge power under Constantius. Ammianus mentions their vices and wrongdoings and informs us that they acquired enormous wealth through robbery and bribery and that Julian drove all eunuchs away from the palace.<sup>2</sup> Yet there were exceptions. In the *Misopogon*, Julian manifested a great affection towards the eunuch Mardonius, who had been the pedagogue of his mother and later became his attendant.<sup>3</sup> Mardonius was a Scythian by birth and inspired in the future emperor frugality, utter disregard for pantomime dances and for horse races, and love of literature. Another eunuch who was an upright, honourable person was the Armenian Eutherius, who served in the palaces of Constantine and Constans and was great chamberlain of Julian when he was Caesar in Gaul. Ammianus painted an encomiastic portrait of this eunuch as a person of great culture, extraordinary power of memory, loyalty and the ability to criticize even Julian openly.<sup>4</sup>

In the case of Mardonius and Eutherius, there is no information about special gifts granted by the emperor but it is possible that they received some. Eunuchs certainly received gifts and privileges. A later law, which dates to 430, suggests a situation that may apply to an earlier period. *Codex Theodosianus* 10.10.34 shows that eunuch chamberlains were the only ones who could keep imperial grants of confiscated land in their entirety, while others had to give half to the imperial treasury.<sup>5</sup> In *Or.* 37, Polycles' claim that Julian was excessively generous and that he had given eunuchs the best of the villages prompted an exchange that degenerated into fury. Libanius was angry but at first tolerated (though barely) the accusations. But then Polycles went further and claimed that the emperor had given a jewel to a doctor to poison Julian's wife. The accusation was intolerable and had to be rebutted at all costs.

<sup>2</sup> Ammianus 22.4.1–5.

<sup>3</sup> *Misopogon* 351a–352c. See also Ammianus 22.3.12.

<sup>4</sup> Ammianus 16.7.2–8.

<sup>5</sup> Hopkins 1978: 172–96, at 178.

### Julian and Helena

Helena (2 *PLRE* I) was the daughter of Constantine I and Fausta and was a Christian. She was given in marriage to Julian when he was appointed Caesar in 355. It was a political union and Julian apparently had no sentimental attachment to her. In letter 80, he declared that he had never written her a personal letter that could not be read publicly, an admission of limited intimacy. Ammianus 16.10.18–19 said that Helena incurred the ire of the empress Eusebia, wife of Constantius II, who apparently could not have children, and who plotted against her out of jealousy. After Helena went to Gaul with Julian she became pregnant, but the baby perished through the machinations of the empress who induced a midwife to cut the umbilical cord excessively, killing the child. Later, when Constantius visited Rome in 357, Eusebia made Helena drink a potion that was bound to produce a miscarriage every time she was pregnant. Helena was in Paris when the troops proclaimed Julian Augustus in 360 but soon after died in childbirth and Julian sent her remains to Rome (Ammianus 21.1.5). After her death, Julian neither remarried nor took up with other women (Ammianus 25.4.2). Claudius Mamertinus, who was elected consul in 362 and wrote a panegyric of Julian, said that his bed was ‘more chaste than the couches of the Vestals’.<sup>6</sup> In *Or.* 18.179, Libanius added that Julian, who was uninterested in sex, ‘would have ended his days knowing nothing of sexual intercourse’ except for the fact that he was once married. In *Or.* 37, the sophist argues that by slaying Helena Julian would have violated the laws of marriage and family ties, since Helena was both his wife and cousin. Constantius himself would have raised uproar and would have considered the murder of his sister a good pretext to ‘deprive Julian of the sceptre’. It was inconceivable that Julian could have perpetrated this crime without fear of the gods who preside over marriage and kinship (section 8).

The detail that Libanius reports concerning the jewel that Julian gave to a doctor and which supposedly belonged once to Basilina does not appear elsewhere. In looking for possible sources for this slander, however, two passages in Ammianus may shed some light. The soldiers in Paris who hailed Julian as Augustus demanded a diadem to crown him, and when he said ‘that he had never had one, they asked for an ornament from his wife’s neck or head’.<sup>7</sup> Somewhat later, when Julian was celebrating the

<sup>6</sup> Mamertinus, *Panegyric* section 13; see Lieu 1989: 24.

<sup>7</sup> Ammianus 20.4.17–18. In *Or.* 18.99, Libanius only talks about ‘a golden band’.

quinquennial games, he wore a magnificent diadem with gleaming gems (*diademate lapidum fulgore distincto*).<sup>8</sup> Ammianus remarked on the fact that years before, when he was crowned, Julian wore a cheap crown. Immediately afterwards the writer reported that Julian sent the remains of his wife to Rome. It is possible thus that the malicious rumour derived from the fact that diadem and death somehow became associated.

The astonishing slander must have been one of those defamatory claims that circulated after Julian's death. Socrates Scholasticus, for example, claimed that skulls of people who had been immolated for the purpose of divination were found in a temple of Mithra in Alexandria.<sup>9</sup> Gregory Nazianzen mentioned that boys and girls were sacrificed and cut into pieces for the same purpose; their remains were then hidden in cisterns and wells.<sup>10</sup> John Chrysostom in the *Homily on St Babylas* (79) reported that Julian practised in secret the sacrifice of infants. Theodoret<sup>11</sup> mentioned people who had been immolated so that their entrails could be inspected for divination, and drew attention to girls and boys who supposedly had been sacrificed and to secret sacrifice of infants. The rumours that Julian had practised human sacrifice clearly and paradoxically derived from the fact that the emperor had revived sacrifice *per se*. In the late second and early third centuries, the Christians themselves had been accused of practising human sacrifice.<sup>12</sup> Christians in turn later appropriated the same motif. Thus *Or. 37* gives evidence of a belief that Julian, the pagan angel of death, had manifested his poisonous nature by poisoning and murdering his Christian wife.

## Helpidius

The Christian Helpidius is a central figure in this speech. It is worth considering in detail the evidence concerning him to identify all the reasons for Libanius' hostility and to verify whether the evidence is uniformly negative in the orations and in the letters. Helpidius became prefect of the

<sup>8</sup> Ammianus 21.1.4.

<sup>9</sup> Ecclesiastical History 3.2.4–5.

<sup>10</sup> *Or.* 4.92.4–7.

<sup>11</sup> *Ecclesiastical History* 3.26–27. Browning 1976: 227 mentions a story that survives in Syriac that represents Julian as tearing out children's hearts and extracting living fetuses from wombs.

<sup>12</sup> Rumours that 'Christians eat the flesh of little children', apparently disappeared after that because even pagans considered them slanders, as Origen testifies, *Cels.* 6.40.

East in 360/361, succeeding Hermogenes. He was a devout Christian and before that date had visited Antony in Egypt. Jerome, in *Vita Hilarionis* 14, says that in Gaza Helpidius' three children became gravely ill, to the distress of their mother, the saintly Aristaenete. She besought the monk Hilarion who performed a miracle and healed them. Ammianus 21.6.9 said that Helpidius was a native of Paphlagonia and was 'a man ordinary in appearance and speech (*lingua*), who had a simple nature (*simplicioris ingenii*) and a mild personality'. Libanius in *Or.* 42.24–25 mentioned him in the company of other men of lowly origins who were able to have a career and to enter the Senate of Constantinople exclusively on account of their skills in shorthand. Helpidius in fact had served in the notaries and this fact in itself caused the deep dislike of Libanius, who was hostile to men of limited education and considered the success of notaries under Constantius a real threat to rhetorical education. He could not accept that people considered shorthand writing superior to or as prestigious as rhetoric.<sup>13</sup>

Several letters of Libanius concern Helpidius. It is useful to examine them in searching for the reasons for the sophist's hostility, which burst out into the open in *Or.* 37. These letters can be divided into three groups: the letters dating to 360 that show that Helpidius earned some tokens of appreciation from Libanius; those concerning the affair of the salary of the sophist; and those which deal with the marriage of Helpidius' daughter Prisca to Libanius' relative Bassianus.<sup>14</sup> In most of the correspondence of 360, Libanius praised Helpidius, with adjectives such as 'strong' or 'high-minded', which always referred to his judicial activities. So in *Ep.* 226 Helpidius appears as a just judge who 'hates not all people who are on trial, but those who are there because they committed some injustice'. Yet in comparison to other public figures that Libanius praised one notices that expressions of praise for this official were not enthusiastic.

Things became more complicated with the question of the sophist's imperial salary for the chair of rhetoric in Constantinople that was transferred to someone else when he was in Antioch. Libanius accepted the loss of the salary in kind that he had been receiving but, appealing to tradition, resented having to return the money he had received in the past.<sup>15</sup> In *Ep.* 28, dated to 360, Libanius relieved an official of the responsibility of cutting his salary, reassuring him, in Homeric words, 'It is not you who

13 See e.g., *Or.* 31.28. Cf. Cribiore 2007a : 206–07.

14 Prisca 2 (*PLRE* I: 726) became the bride of Bassianus 2 (*PLRE* I: 150).

15 On Libanius' salaries, see R.A. Kaster, 'The Salaries of Libanius,' *Chiron* 13:37–59, with corrections by Cribiore 2007a: 184–85.



cause me this grief, but Agamemnon'. Agamemnon, that is, Helpidius, was said in another letter, 258 = B145, 'to wage war on the Muses'. When in 362 the new prefect Saturninus Secundus Salutius restored Libanius' salary (*Ep.* 740 = N89), the sophist's accusation of Helpidius became more direct: the *skaios* Helpidius had deprived him unjustly of his privileges. Here, σκαίος ('dunce', 'awkward') seems to correspond to Ammianus' *simplicior*. Whereas the letters of this period use a generally polite language they also show an underlying tension.

The situation changed momentarily when Helpidius became part of Libanius' family, and relations had to be thoroughly patched up. After writing to Prisca to welcome her into the family, in 363 Libanius wrote to Helpidius himself – a letter that is a masterpiece of diplomacy (1410 = B16). Though Libanius apparently confirmed his past esteem for Helpidius' administration of justice, politely excused himself for not visiting and blamed their difficult relations in the past on deceitful men, the reader senses persisting tension. Was the expression 'I am not part of your circle' a reference to the correspondents' different religious allegiance? Why did Libanius repeatedly use the verbs 'praise' (ἐπαινεῖν) and 'censure' (ψέγειν), ending with ψόγος ('blame')? Though he wished that the new marriage connection could wipe clean the past, it appears that disagreement and misunderstanding persisted.

In sections 10 and 11 of *Or.* 37, Libanius manifests some doubt that Helpidius was the source of Polycles' attack on Julian, hinting perhaps that the latter had concocted the slanderous remarks by himself. After saying that, as a prefect, Helpidius could not have kept silent if Julian had poisoned his wife, or he would thus become an accomplice of the emperor, the sophist mentions an obscure event that showed that Helpidius had in fact reason to be grateful to the emperor. Helpidius was very unpopular with the troops because of his ruthlessness and Julian had rescued him from lynching. It is difficult to date this event with certainty. *PLRE* I places it in late 361 or early 362, but the time limit is only based on the service of the succeeding prefect Saturninus Secundus Salutius. Though it is conceivable that the rescue took place at an earlier time, no contemporary source alludes to it. Reiske dated it to the time when Julian was in Gaul, saying that Helpidius was prefect of Gaul and Constantius placed Julian at his side, but this might have been only a conjecture since he did not cite any source.<sup>16</sup> It is also likely that Reiske mistook the identity of this Helpidius, confusing

16 Reiske 1791.

him with another Helpidius (6 in *PLRE* I) who followed Julian to Gaul and converted to paganism. In a long letter to Julian written in 358/359, Libanius had acknowledged the tears that the emperor had shed for the earthquake in Nicomedia and congratulated him on his subordinate's (Helpidius 6) conversion.<sup>17</sup> Even considering its uncertainty, Libanius' accusation against Helpidius 4 for failing to be grateful to Julian seems to have more historical basis than the preceding vicious slander: it is not coloured by the same malicious tone and is uttered in a matter of fact way.

Thus it appears that Libanius' letters are not always favourable to Helpidius and a current of hostility pervades some of them, yet there is a notable difference between them and this oration, which is malicious and insulting. Should we attribute the difference to the fact that Libanius treated people in a spiteful fashion addressing seemingly innocuous letters to them but stabbing them in the back in the orations? Scholars have held this view in the past. It seems, however, that genre is partly responsible for the discrepancy.<sup>18</sup> Letters were vehicles of friendship in which possibly hostile feelings were hidden and disguised. These latter feelings came out into the open in orations and sometimes led to invective. One also wonders if the sexual slanders against Helpidius (and in a lesser degree against Polycles) were credible. It is not easy to say but the fact that Libanius uttered them so swiftly as an immediate and abrupt reaction to the serious accusation against Julian makes them suspicious. Similar sexual slanders are present in other orations, such as 38, 39 and 42. Libanius may have had in mind famous examples of literary invective such as those found in Aeschines and in Demosthenes.

### **Polycles**

Lack of gratitude after receiving some benefit and the severing of friendly relationships because of it are prominent themes of the speech. Both Helpidius and Polycles should have been grateful to Julian but both betrayed him. (I have noted above that Julian had rescued Helpidius.) Polycles had received from the emperor an important province to govern. This speech is the only source for Polycles' dismissal when he proved incompetent. The relationship of Libanius with Polycles, who visited the sophist every afternoon, was quite close. The two men shared concerns regarding

<sup>17</sup> *Ep.* 35 = N38.

<sup>18</sup> See Criboire 2013.

Libanius' school and students. Their parting of the ways was so sudden and irreversible that Libanius felt he had to justify it to others. An even stronger friendship that pervades the speech is that of the sophist with Julian, for whom he felt reverence and had warm feelings. In his *Autobiography* (125), Libanius made the emperor say that other people loved him for his wealth but only the sophist loved him for himself alone and with tenacity: not even his mother had loved him more strongly. But now Julian was dead and could not defend himself so he needed his friend's assistance. There are similarities with another oration, *Or. 63*, in which Libanius defended the memory of his friend Olympius 3 who had died and was open to criticism from many sides. In the case of Julian, as with Olympius, friends had the duty to help and protect each other.

### Astrology

The final part of the speech (sections 19–22) deals with a different subject, astrology, and adds a new dimension to the enmity between Libanius and Polycles. The occasion and date of the matters referred to in this section are unclear, as is their relation to the ferocious slander of Julian that occupies most of the oration. It is likely, however, that Libanius' disagreement with Polycles regarding astrological matters pre-dated the violent quarrel about Julian. Slander does not seem to play a strong part in the apparently more realistic accusations in this section. Observation of planetary and stellar movements in order to predict the future was very old.<sup>19</sup> Astrology and magic were not neatly separated, and, as is well-known, they pervaded virtually all aspects of life in the ancient world. At the beginning of his career when the competition with other sophists in Constantinople was ferocious, Libanius was accused by a competitor 'of consorting with an astrologer who controlled the stars and could help or harm men through them' (*Or.* 1.43). This man threatened to torture Libanius' copyist in order to obtain evidence against him. At the end of *Oration 1*, Libanius wrestles with problems of the influence of the stars and of destiny. These were old concepts, as is shown by Poseidon's remark at *Odyssey* 1.31–33 that mortals usually and unjustly blamed the gods for their sorrows. More recently and more specifically, the Stoics had discussed Destiny.<sup>20</sup> In the fourth century,

<sup>19</sup> See Johnston 2008.

<sup>20</sup> See Alexander of Aphrodisias, e.g., *On Fate*, *passim* and Nemesius, *On the Nature of Man*.

Nemesius (34–36) argued against those who attributed all events to the revolution of the stars and approved of those who thought that men could choose their actions. Libanius must have known a treatise composed by Saturninus Secundus Salutius, with whom he often corresponded. After the death of Julian, Salutius was asked to take the emperor's place but declined on account of old age. His treatise, *Concerning the Gods and the Universe*, was perhaps composed at the suggestion of Julian.<sup>21</sup> It was a sort of pagan catechism that reminded pagans of the fundamental points of their religion. While Salutius argued that Destiny was only partially responsible for the conduct of men, he discussed, among other topics, the influence of the stars on human affairs and the negative influence of the planet Ares (4–8). It is unknown why Libanius needed to supplicate Ares (a question of health perhaps?), but certainly this planet was in antiquity considered to have a detrimental influence. In a papyrus from the third century, *PSI* 158. 20–23, which appears to be a fragment from an astrological work, Ares is the planet who brings destruction and annihilates a whole family.

These last sections of *Or. 37* are also fascinating because of what they show about how people chose astrologers and used them. These men – says Libanius – meditated the ruin of many, slept in the daytime, and gave orders to the stars at night. Polycles consulted them for assistance in decisions regarding essential matters, such as marriages and what offices to seek. He frequented them constantly, shunning the company of men his age. He became intimate with them to the point of being able to practise astrology himself, boasting that he was good at it. It seems that there was a market for astrologers more- or less-qualified, and people were free to choose among them. According to Libanius, Polycles preferred the company of those of inferior ability but behaved like a connoisseur, declaring that some of them were more effective than those who had a stronger reputation. It is unclear what Polycles had done that Libanius resented so much. He had reported to the astrologers something that Libanius wanted to remain private. Libanius, moreover, had refused to write encomia for some of these men.

### Earlier Discussions

Foerster, who generally called Libanius' speeches *orationes*, designated this speech as a *scriptiuncula*, that is a shorter version of a *scriptio* (a written speech). The only other oration called *scriptiuncula* is *Or. 53* (*On the*

21 Cf. Rochefort 1983.

*Invitations to Banquets*). Though Foerster did not explain his terminology, it seems that *scriptiones* and *scriptiunculae* had a looser argumentation than *orationes* (cf. my observations in the introductions of *Or.* 53 and 63). It is in fact difficult to produce a clear synopsis of *Or.* 37 and to classify it by genre because many themes emerge, disappear and re-emerge here and there, and encomium and invective are both present. The rhetorical density of this speech (as in *Or.* 53) is low because it does not include many rhetorical figures. Libanius appears to have been genuinely furious at Polycles and so did not want to indulge in rhetorical embellishments.

This speech can be dated only tentatively. A passing mention of Helpidius in a letter dated to 365 shows that he was still alive then. In section 3, Libanius says that Helpidius kept a concubine or a prostitute until his death. *Or.* 37, therefore, was composed after this date. Foerster tried to be more precise and placed the writing after 366, arguing that Helpidius' death is not mentioned in this speech as a recent event.

J.J. Reiske in *Animadversionum ad Graecos auctores* (Reiske 1751–66: 5.542–44) successfully emended previous faulty editions. In the second part of the nineteenth century, M.E. Monnier added to the text of Reiske the French translation of ten orations, this one included. This translation (*non vidi*) was apparently elegant but free and with some mistakes. Foerster edited the text further in 1906 in *Libanii Opera*, vol. 3. A discussion of this speech appears in Cribiore 2011. See also the consideration of some aspects of this oration in Stenger 2009: 276–79.

## SYNOPSIS

To produce a clear synopsis of this speech is difficult if not impossible. After a very short proem (1), most of the narration takes place in sections 2–3, though Libanius includes some details in other sections. The rest of the speech does not consist of the usual argumentation, with objections and corresponding responses, but is mostly a series of amplifications on Libanius' friendship with Julian and the latter's generosity (4–5), the poisoning, accusations of the slanderers, and behaviour of Helpidius (6–11), deeds of Polycles and interpretation of Polycles' behaviour (12–17), and Polycles' knowledge of astrology (19–22). There is no epilogue.

1. It is evident to everyone, I think, that something must have put an end to our close relationship and to your daily visits to me in the afternoon. I would like to clarify the reason for this so that people will not inquire why this happened and will not trouble themselves guessing. I do not think that as a result I will appear base, but believe that someone else will perhaps be revealed as not good.<sup>22</sup>

2. When we were discussing the reign of the most learned Julian<sup>23</sup> and I said how wondrous it was and entirely appropriate for a man like him, you clearly did not approve of my words. Although pretending to praise,<sup>24</sup> you criticized him for being so lavish in his gifts, offering as proof what he gave to the eunuchs, that is, the villages.<sup>25</sup> A long discussion followed concerning these and the fact that (you argued) these villages were the crown of those that are in the land; for you wished to use the generosity of the gifts to slander the character of the giver and to stir up certain suspicions. I could barely tolerate this, but I did so, knowing both that it was not true and that these were not his largest gifts; however, I did not want to enter into a dispute about this. 3. To these charges, you added that Julian gave a doctor a jewel that had belonged to his mother as a fee for causing the death of his wife.<sup>26</sup> You said that Helpidius had revealed all this

22 Polycles (and not Helpidius) is the man who will appear base at the end of the speech since this is the proem and Libanius is addressing him. Helpidius will make an appearance in the second section.

23 The discussion at the beginning concerns some factual matters that do not fail to irritate Libanius greatly. Libanius always manifested admiration for Julian's learning, for his rhetoric, and the beautiful letters that he wrote. The word σοφία (the noun from which 'learned' comes), however, is ambiguous and may refer to Julian's knowledge of philosophy and Neoplatonism. Libanius was aware that he himself was not acquainted with philosophy and admired people like Themistius who were (cf. Criboire 2007a: 66).

24 Polycles, who had been appointed by Julian, had to say something positive about him. Libanius, who apparently started the conversation, was not aware of the anger harbored by Polycles.

25 The specific accusation that Julian granted villages to some eunuchs is not documented elsewhere. Polycles maintained that those villages were particularly valuable.

26 There is no way of telling if the doctor was Oribasius (*PLRE* I: 653–54). He was famous as a doctor, taught medicine and wrote medical works. Eunapius (*Lives* 498–99) wrote that he was native of Pergamum, was the pupil of Zeno and was very close to Julian. He went to Gaul with Julian when the latter was Caesar and was at his deathbed in 363. Eunapius says that Oribasius 'made Julian emperor', by which he meant not so much that the doctor participated in the plot to make him emperor in Gaul but that he prepared him for that rank. I think it is unlikely that the great Oribasius was an accomplice of Julian in killing his wife and in any case Libanius does not mention him.

under oath.<sup>27</sup> Then you praised Helpidius, not in order to commend him but so that his oath would be trustworthy.<sup>28</sup> At this point, stricken in my soul by your words, I cried out and said, ‘But wouldn’t Helpidius have sworn that he did not prostitute himself when he was young?’<sup>29</sup> And I said the same things that the Roman Senate and people said<sup>30</sup> – as those who spent a long time there reported to us – that a man who is serious has other concerns than a concubine, something that matters to someone who is unfortunate. Yet there were those who claimed that he was in the grip of this vice until his death.<sup>31</sup> Therefore, you were so overwhelmed by the truth that you even acknowledged yourself that you had heard this from one of his attendants.<sup>32</sup> I said, however, that this man [the attendant] was dishonoured because he had become a woman voluntarily and his way of life had deprived him of the ability to slander another.<sup>33</sup> And so I spoke.

27 The oath, probably requested by Polycles, was intended to make Helpidius’ statement trustworthy.

28 A subtle point that reveals Libanius’ attention to people’s motivations and knowledge of the human mind. Thus Polycles was not sincere in praising Helpidius but wanted to use him in support of his argument.

29 The sudden malicious slander takes the reader by surprise. Libanius means that Helpidius was far from being trustworthy and was able to lie about anything.

30 In *Or. 39.19* Libanius similarly reiterates that everyone, in every country, knew of the immorality of Mixidemus and the thing was well known to the Roman Senate in Rome. The sophist rarely speaks of Rome and it is striking that on these rare occasions he refers to its higher authority.

31 It seems therefore that Helpidius not only had prostituted himself when he was young but also had a concubine while married to the saintly Aristaenete and was entangled in this vice until he died. The speech therefore was composed after Helpidius’ death. This second accusation, which appears less outrageous, seems to target the Christian Helpidius as a man who was not serious in his commitments.

32 *παρά του τῶν παρηδρευκότων αὐτῷ* (from one of his attendants): the final pronoun seems logically to refer to Helpidius so that this anonymous source of information would be one of his attendants. It cannot be categorically ruled out, however, that this man was serving Julian.

33 The situation seems similar to *Or. 39.6* when Libanius says of Mixidemus ‘that he confounded all the laws of Aphrodite, born a man, he added on the other sex’, i.e., engaged in homosexual acts. It is also possible, however, that Libanius means to say that the man in question was a eunuch. As such he had lost freedom of speech. It is unclear to which attendant of Julian Libanius refers here, but his prejudice against androgynous men follows traditional lines: because of their lost virility, eunuchs lost their masculine qualities, such as sense of justice, reliability and moral sense. Ammianus in any case (25.4.3) states that not even Julian’s closer attendants, *citerioris vitae ministri*, ever accused him of sexual misdemeanors because he was beyond suspicion.

4. You wished me to accept in silence<sup>34</sup> the things you said against that revered person and to betray a noble emperor and friend. Yes, he was my friend – I would not deny it.<sup>35</sup> Friends do not deserve this treatment from their friends but rather merit help, goodwill, words and deeds; for deeds I had no opportunity, but for words I did.<sup>36</sup> And so I spoke and countered with good a base man who had spoken basely. 5. I was outraged not only because Julian was a friend but also at your duplicity. What Greek or barbarian could believe that Julian actually killed any man unjustly, still less his own wife? Am I saying, ‘He killed’? Whom did he divest of his fatherland? Or from whom did he extort money? He was a man who spent days and nights in sacrifices, prayers and in the company of divine spirits, consorting with them through the agency of seers; for he had hopes that victory in war rested with the influence of the gods rather than in the hands of soldiers. Would he ever have entered under the same roof with a man (i.e., the doctor) who has acted in such a way? Would he have conversed with him or listened to what he said? Don’t you know that even those men who had once conspired to kill him and seize power themselves, Julian let them go with a reproach?<sup>37</sup>

34 Silence is, as always, the opposite of words. Libanius, a sophist, generally considers it unfavourably as a sign of acquiescence and a manifestation of poor skills. Orations are sometimes couched as a sudden breaking of silence, when the writer cannot contain himself and bursts out verbally. Here it seems that Polycles hoped to slander Julian with impunity because the accusation was so enormous that it would utterly confound the sophist. Libanius, however, not only reacted strongly on the spot, but even composed a whole oration to discredit the two accusers.

35 Libanius always tried to deny that he had profited from Julian’s friendship. In the narrative of his life he recounted how Julian, arriving in Antioch, was surprised not to see him. Libanius did not go to the sacrifices the emperor celebrated each day and finally met him when he was invited. He was concerned to distinguish himself from all the flatterers and declared that he never asked Julian for material advantages (*Or.* 1.120–125).

36 As long as he was alive, Julian could defend himself but after his death he needed Libanius to speak on his behalf. The situation is not unlike that in *Or.* 63 where Olympius needed Libanius’ defence.

37 A conspiracy of ten men attempted to Julian’s life who then was reluctant to shed the blood of the conspirators who were betrayed by drunkenness and revealed the whole affair. On Julian’s clemency in confronting a conspiracy, see Libanius, *Or.* 12.84–85; 15.43; and 18.199. In *Ep.* 1120 = N113 Libanius, however, reports that they were eight soldiers. Cf. Gregory of Nazianzus, *Or.* 4.84 who alludes to the drunkenness of these men and says that Julian banished them but avoided killing them in order not to make martyrs of them. Norman in a note to *Or.* 18.199 reported that there might be connections between this event and the episode of the saints Juveninus and Maximinus who were members of the imperial guard. They commented negatively on Julian’s prohibition on worshipping relics in Antioch and



6. Would this man then have killed his wife with poison when he could accuse her of nothing – or even if he had something to accuse her of?<sup>38</sup> And would he have uttered such words to the doctor? ‘Mix the poison and put it in,<sup>39</sup> administer it, or show me the corpse of my wife in any way you wish,<sup>40</sup> dare to do a deed that violates your art. Your pay will be the jewels that once adorned my mother’.<sup>41</sup> Would Julian have uttered such words?<sup>42</sup> Would he have opened his mouth to say such things? Wouldn’t his tongue have faltered? And after carrying this out, wouldn’t he have blinded himself<sup>43</sup> so as not to see the man to whom he had said this? 7. I think that the man who lied like this would not even refrain from [slandering] the sons whom the Phoenician woman had by Zeus<sup>44</sup> and from denying that

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were then put to death (John Chrysostom, *Sermon on the Saints Juventinus and Maximinus* PG 50). At that time, however, Julian did not show any clemency. Clemency and humanity are typical virtues of an emperor and are standard elements of panegyrics, cf. Menander Rhetor II 374, Russell and Wilson 1981: 88.

38 Libanius considers the possibility that the murder of Helena might be explained by disagreement between Julian and his wife. In that case, Julian might have accused Helena of something serious and then had her killed.

39 In water or other liquid so that it would appear innocuous.

40 Julian would supposedly consider any way of killing Helena.

41 These imagined words of Julian can be considered a short *ethopoia*, that is a speech of impersonation, an exercise that students practised in schools of rhetoric. This exercise would present the speech of a certain figure in a particular circumstance. In this case, the words Julian is imagined to have pronounced are very effective because they evoke the supposed scene of the crime but make it unreal.

42 A series of unremitting rhetorical questions is the response to the cruel scene depicted above.

43 The section becomes tragic. Oedipus fulfilled the prophecy that he was going to kill his father and marry his mother and on realizing it he blinded himself because he could not bear to look at his parents in Hades. Sophocles wrote three tragedies on this myth, *Oedipus the King*, *Oedipus at Colonus* and *Antigone*. Julian would behave in a similarly noble way on realizing what he had done.

44 The Phoenician woman is Europa whose father went to live in Phoenicia. Libanius mentions her in *Or.* 16.19 saying that Julian was even more just than her sons. Zeus fell in love with her, appeared to her as a magnificent white bull and abducted her. She had three sons, Aeacus, Minos and Rhadamanthus (cf. Plato, *Apology* and *Gorgias* 523E). Since Libanius mentions Aeacus immediately after, it seems that he included him with the two others as judges in Hades. The names of Europa’s sons, however, do not always appear the same in the sources. Hesiod in the *Catalogue of Women* frg. 19 says that Europa was the mother of Aeacus, Minos and Sarpedon. According to the third book of the *Bibliotheca* of Apollodorus, Europa’s sons were Minos, Sarpedon and Rhadamanthus. Some myths present Aegina as the mother of Aeacus. Since the sons of Europa were judges in the underworld, anyone who accused them of misdeeds would seem entirely unjust.

his closest kin suffered the most terrible things at their hands deny that his kin were justly judged by them.<sup>45</sup> I think that Julian would not be wrongly called a pupil of theirs<sup>46</sup> and of Aeacus. One might compare what he did about earthquakes with what Aeacus did with droughts.<sup>47</sup> With his prayers, the latter persuaded Zeus to rain, while the former convinced Poseidon to end the earthquakes that caused the greatest terrors in the greatest city.<sup>48</sup> **8.** As we must believe that a man who dares to utter such a lie about them<sup>49</sup> is crazy, likewise is this man concerning Julian,<sup>50</sup> especially since that deed would be prohibited not only by the laws of marriage but also by those of family ties. The same woman was both his wife and cousin, because she was Constantius' sister.<sup>51</sup> Did Julian, without fear of either gods (those who protect marriage and those who protect kinship), say such things to the doctor, with no respect for Helios, if it was day – and for Night, if night it was? **9.** And while Helpidius – who was Helpidius!<sup>52</sup> – never enjoined anything comparable to anyone, but even says that he condemned justly all those he condemned to death in the offices he held, did a man, who was constantly at the altars, clinging to the statues and worshipping the gods with fasting,<sup>53</sup> perpetrate something that was impious even to think of, and did he kill a woman he had impregnated? Did death result from

45 This phrase is difficult. Libanius seems to say that the man who made the outrageous statement would deny that his closest kin were punished for their offences by the judges in Hades and he would lie that his relatives did nothing wrong.

46 The judges of Hades.

47 When a drought, which was the consequence of a murder, hit Greece, the inhabitants asked Aeacus to try to alleviate it. He prayed to the gods and his father Zeus and immediately rain followed. He then built a temple to Zeus. Several sources reported this myth, among whom are Isocrates, *Evagoras* 14–15, Pausanias 2.29.7 and Clement of Alexandria, *Stromateis* 6.3.28.

48 The city is probably Nicomedia, which was destroyed by an earthquake in August 358. Libanius, who had several friends there, composed a monody, *Or.* 61, for the fallen city and invoked Poseidon, who had not defended her, in sections 3–6. We have no information about Julian's prayers to Poseidon. In his extant work there is no mention of the event. In *Ep.* 35 = N38, however, Libanius presents Julian in deep distress. He mentions a god who could partly cure the latter's grief and who could be identified with Poseidon.

49 The judges in Hades.

50 The man is Polycles. The phrase is very compressed as the Greek language allows.

51 Both Helena and Constantius II were children of Constantine I and Fausta. Julian was the son of Julius Constantius who was the half-brother of the emperor Constantine.

52 An unworthy man not comparable with Julian.

53 Julian worshipped the gods assiduously. Libanius returns to a point he covered in section 5.

that drug though there was no examination of the dead woman?<sup>54</sup> And yet there was not only one doctor at court but very many: if that one took the fee and hid the pollution, all the others would cry havoc.<sup>55</sup> **10.** Constantius, moreover, would neither have been ignorant of this nor kept quiet, but would have caused a great disturbance, since she was his sister and a princess and particularly because he needed a pretext to deprive Julian of the sceptre.<sup>56</sup> For he in fact regretted having given him a share of power, not because he had found him bad, but in the belief that he was better than himself.<sup>57</sup> There also were people who would investigate and denounce everything who took pleasure in being informers. **11.** Helpidius was the foremost of them, and so great an affair would not have escaped his notice since he was prefect, nor would he have kept silent if he found out and thus become a benefactor of the emperor.<sup>58</sup> If he declared that, prove it; but if he did not speak, then it was never done: a man who had roused the army against himself with many awful and unjust acts and was rescued by the tears of Julian<sup>59</sup> is asking for punishment if he lies concerning things for which he should be grateful.<sup>60</sup>

**12.** By telling this lie,<sup>61</sup> Polyycles, you added the vote from yourself, brought to us the verdict from yourself [your own verdict], with words, glances and nods,<sup>62</sup> taking the side of a catamite against a self-restrained man,<sup>63</sup>

54 Libanius is again imagining the scene of the murder. From the manner of the dead or dying woman, doctors would have easily understood that she had been poisoned.

55 This is one more point to show that the deed was impossible because of the presence of more doctors at court. In these sections Libanius accumulates his responses to eventual objections without following his usual habit of dedicating one section to each objection.

56 This is a very strong objection. Constantius would have used Julian's deed to finally get rid of him.

57 Of course this is Libanius' opinion.

58 Libanius means that Helpidius would have denounced Julian and not waited to tell Polyycles of the deed in secret. Moreover, Libanius goes on to provoke Polyycles into revealing that Helpidius actually did not tell him anything regarding the matter.

59 Helpidius risked being lynched by the army because of his harshness (cf. introduction). Julian apparently calmed the troops and became emotional according to Libanius.

60 Gratitude is another theme of this speech. Helpidius apparently did not take into account that he had to be grateful to Julian since the emperor rescued him in a dangerous situation. Polyycles, on the other hand, slandered Julian, who had appointed him governor of Phoenicia.

61 Τὸ ψεῦδος (the lie) stands in a prominent position as the first word of the sentence. This lie is in fact the subject of the whole speech.

62 After relating the slander to Libanius, Polyycles, with his behaviour and comments, showed that he had already pronounced the verdict against Julian.

63 The two terms 'catamite' and 'self-restrained' are juxtaposed to underline the

without recalling Phoenicia and the government of the Phoenicians, which was the first to be given to you who were first after Julian became sole emperor.<sup>64</sup> He, however, did not know you, but was deceived by a friend.<sup>65</sup> When you committed abuses and were unable to be moderate, he could not consider good what was bad, but became angry. And you, instead of hating yourself, started to hate that excellent man, although you ought to have been grateful for your post while blaming your eyes or whatever gives rise to sexual passions.<sup>66</sup> **13.** But I am returning to this point, that you described the accusation against Julian as being both yours and Helpidius', openly praising the man who spoke and commending his words, as I recently said.<sup>67</sup> And yet it would be awful not to revile him and the things he said, but you used just the words you thought could persuade me, and when I justly did not tolerate them and said that they were quite inappropriate to me but most apposite for Helpidius, you did not show any anger, but left.<sup>68</sup> You sought a way to defend yourself from me and did so by putting an end to your visits to us. **14.** But why? Helpidius and Polycles are not the same person.<sup>69</sup> If I said that Helpidius sold his beauty, I did not say that you did too; nor did the fact that someone in Rome bade Helpidius to go there to sleep with him concern Polycles, nor, if it was necessary for Helpidius to keep his tongue tied because of these things,<sup>70</sup> did I demand silence of you. But actually I think I see the reason for your anger. It looks as if this saying could refer to both of you: 'Equal is your gain, equal the nights, equal the profits and the favours'.<sup>71</sup> You believed that what you heard referred to Helpidius no more than to yourself. So I accused him, and you accused yourself. **15.** I think that quite a few men in the same condition as Helpidius would feel the same way

difference between the two men: Polycles (and Helpidius too), a pervert, and Julian, who had complete control over sensual desires.

64 In November 361, Constantius died. When Julian became sole emperor, he assigned provinces to governors. Phoenicia was then the first province he assigned, granting it to Polycles.

65 Polycles did not manifest his anger towards the emperor and feigned friendship.

66 This phrase could also be taken as 'blame yourself, i.e., as one ruled by sexual passions.

67 Cf. sections 3.

68 It appears that this was the typical behaviour for Polycles, who did not show his anger when dismissed by Julian.

69 Libanius here reveals himself a master of psychology. His attack against Polycles is sly and subtle; it proceeds slowly but cuts deeply.

70 That is, his dubious past.

71 This saying is unknown. It could come from comedy and it seems to refer to a situation in which sex was involved.

if they were present and heard what was said. They would have realized that they were injured by themselves and things associated with themselves. We know that the same thing happens at the delivery of speeches. In making a speech, a rhetor mentions a matter of this kind when he needs to,<sup>72</sup> but the other person, recognizing himself, blushes and is downcast: he cannot censure what has been mentioned but is hurt by what he said. He does not go and fight with the sophist, does not say that he was insulted, or that the man must pay for what he said;<sup>73</sup> he would not do that even if he were among those who chatted with and came up to him.<sup>74</sup> **16.** You stood up and rushed off as if *you* yourself were Helpidius. If you say that you were distressed because a friend was unjustly insulted, you should have refuted [the slander] and helped your friend in this way. But it was not possible. For how would it be possible for the same person who said that he, too, had heard such words concerning himself?<sup>75</sup> **17.** Rest assured that, by such a strong retaliation,<sup>76</sup> you have let us know how you acted as a young man.<sup>77</sup> I would *love* to learn how this penalty hurt us. You did not make my profession worse off when you stopped coming, nor better when you came in.<sup>78</sup> You wasted in nonsense no little part of the time and when you found a student declaiming, you made him lose heart because of your cruelty about what you heard.<sup>79</sup>

72 Libanius thus considers sexual slander common to other speeches when need arose. Did Mixidemus, the protagonist of *Or.* 39, blush?

73 This supposedly was Polycles' behaviour. He did not rebut the sophist but disappeared.

74 This is probably an allusion to the fact that after a speech people congregated around the speaker to compliment him and talk with him. In *Or.* 1.89, after Libanius gave a triumphal speech that marked his return to Antioch, people complimented him and even accompanied him to the baths.

75 Foerster wrote αὐτοῦ, but an aspirate is needed here to make the pronoun reflexive.

76 τιμωρία is a strong word that means 'vengeance'. By leaving suddenly, Polycles wanted to punish the sophist, depriving him not only of his friendship but also of what he regarded as assistance to his students. It is possible that Libanius uses the term 'retaliation' ironically. In the next section he shows that Polycles did not 'punish' him at all.

77 Libanius had a strong interest in young people. In this case not only did Polycles show his impulsive temperament, but the sophist hints that as a young man he might have indulged in illicit, homosexual pleasures.

78 It is unclear whether Polycles visited Libanius in his school or in his house, where the sophist received students in the afternoons. The last two critiques of Polycles (lack of visits to Libanius and involvement with astrologers) seem much more realistic than the previous slander.

79 Libanius expected a lot from his students but also encouraged them and did not want to mortify them. His relations with his students were inspired by love and respect. Since the sophist regarded his students as sons, he could forgive them (cf. Criboire 2007a: 139–40). Yet

18. You were never my friend, but thought you should seem so.<sup>80</sup> When you expected to escape notice, you always attacked. You twisted my words about the stars and the assistance they provide, and made hostile to us people, whose (concept of) Destiny we censured,<sup>81</sup> reporting these words to them, wronging me and flattering them, placing your hopes for the most important matters – such as offices and marriages<sup>82</sup> – in their evil arts. I hear in fact that you are still thinking of getting married and of placing a wreath upon such white hair.<sup>83</sup>

19. You are convinced that these abominable men have the power to obtain these things by means of furnaces, the ashes there, and fire.<sup>84</sup> You have been deceived many times, but did not cease believing that you will get something with their help. But instead of getting something, it's enough for you to expect to get it<sup>85</sup> and you go around inquiring not only whether one<sup>86</sup> is truly at the top of this art, but also if he is of average or even poor ability, and you believe that among these people<sup>87</sup> there is often someone who is better than those who are really qualified.<sup>88</sup> You go to them, invite them over, and avoiding those of your age, you enjoy spending time with these

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sometimes he seems too generous in judging their work, or at least people thought so. See *Ep.* 121 = *R* 197, in which he praises the discourses of the student Titianus, but adds: 'there will be people who will say that they are bad, not a few because of ignorance, but more, I believe, on account of envy'. It seems that Polycles was one of those who could not tolerate mistakes and imperfections.

80 The critique of Polycles continues but with an added reason: Libanius' and Polycles' disagreement on astrological matters.

81 Libanius, *Or.* 22.10 has the same use of αἰτιάομαι, put the blame on *daimones*. Libanius perhaps suggested that some people would turn out badly. He uses the term εἰρμαρμένη (Destiny) only once elsewhere, in *Declamation* 2.1.36.12.

82 The expression ἀρχὼν καὶ γάμων has a negative connotation, as in Plato, *Republic* 263A, where offices and marriages are the reward for the unjust man.

83 Libanius adds a malicious touch to the picture: Polycles is getting older and has grey hair but continues to hope to get married, like a young man. The section that follows, however, shows that Polycles was still fairly young since Libanius reproaches him for getting together with the old astrologers.

84 Astrologers sprinkled ashes from furnaces (cf. *Exod.* 9:8–11).

85 Another subtle observation of the sophist. For Polycles it was enough to expect that something would happen even though it might not.

86 One of the astrologers. Polycles is 'shopping' around them, inquiring about their qualifications and placing them in categories according to ability.

87 Polycles stays in the company of very mediocre astrologers but is convinced that someone among them is even better than the ones who are considered good.

88 Here there is a textual problem: μεῖζω is an emendation and it seems one has to understand τινα with it.

men, sometimes in isolation and at times in public, removing the suspicion about the former encounters by the latter.<sup>89</sup>

20. You pursue these men in these matters so much that everyone who sees this is a true sorcerer<sup>90</sup> when he says that your conversations are about this. In lieu of money, you offer them words against me and you say that you are revealing forbidden secrets and that you prefer their interests to mine. But if it is I who would rather seem to you to be a sorcerer, I have been wronged, while those men have done the wrong, and it would be better for you to be on my side.<sup>91</sup>

21. I said that we will beseech the stars and will try to make Ares<sup>92</sup> more favourable with many supplications, but let us suppose that it was said that we should try to drive away their rays.<sup>93</sup> In either case you had to be troubled together with me, whether something was concocted against me or whether my fear was empty and the terrors vain.<sup>94</sup> I am unhappy about this. I never regarded you with suspicion, nor did I say that you worked against me in any way.<sup>95</sup> So what is the reason for this change and for your running away from me? 22. Do you think that we act unjustly by not writing

89 Polycles follows a strategy so as not to make people suspicious about what he does. He avoids his contemporaries but his open encounters with the astrologers reassure people that he is not planning anything in secret, even though he does.

90 The word is ironic.

91 Since it is not unusual for Libanius to harbor resentment, it is unclear whether this matter of disagreement with Polycles was realistic or was greatly exaggerated for the sake of the speech.

92 Ares is the god of war and Libanius often mentions him together with other gods (e.g., *Or.* 15.79). Here he is referring to the planet Ares that supposedly had a negative influence. Plutarch, looking at the myth of Ares and Aphrodite in the *Odyssey*, said that the presence of Ares pointed to illegitimate children conceived in adultery (*On Listening to the Poets* 19F). In *Or.* 1.281, Libanius says that he was afraid of losing the sight in one eye. So he consulted astrologers 'who depended upon the stars', and they said that Ares had moved into a better position and thus his eye was not in danger. That must have happened around 392.

93 That is, the influence of the stars. Their rays are often called *βολαί*, e.g., in Manetho, *Apotelesmatica* 5 98.

94 We do not know on which occasion Libanius was fearful and why he had recourse to stars and astrologers. It was probably a time when he was concerned with his health. The accident to his eye (mentioned above) had not yet occurred.

95 What precedes actually shows that the relation of Libanius with Polycles was fraught with suspicion and misunderstanding. The final question of this section thus seems somewhat senseless. Yet in the last sections the sophist is discussing exclusively the issue of the astrologers that may have preceded the enmity concerning Julian. It is difficult to know if the astrologers and magic were in some way connected with the slander of Julian.

panegyrics<sup>96</sup> for men who in the daytime lie asleep for the ruin of many but at night think fit to give orders to divinities? You say that you are second to none in these awful matters, and, what is more, that your knowledge is not inferior to that of some people and actually vaster than others'. Nevertheless, you are glad to meet with these men who are worse than you, doing such harm; you consider hearing and discussing these matters more pleasant than a festival. You should have been schooled by past dangers, yet by fleeing you have actually become worse.

96 We do not know if we have to take these words literally. Was Libanius asked to write panegyrics of these astrologers? Or was he supposed simply to praise them lavishly?



**ORATION 40 (366),  
TO EUMOLPIUS**

Libanius addressed this oration to Eumolpius (*PLRE* I: 295), the brother of Domitius 1: the latter was possibly *comes Orientis* in 364. It is possible, but not certain, that Eumolpius was older than Domitius who in section 7 is said to obey his brother in everything. It is clear from *Ep.* 75 = B119 that Eumolpius was a younger relative of Libanius, and the main concern of that letter was Eumolpius' lack of goodwill towards someone Libanius protected. Eumolpius' alleged disloyalty and his consequent broken friendship with the sophist is one of the themes of this speech. The interest of *Or.* 40, however, mostly lies elsewhere: its evidence for young men's enthusiasm for studying Latin in Rome, their supposed neglect of Greek rhetoric and the importance of the Latin language in securing administrative jobs; in showing how the composition of speeches was carefully stipulated and yet contracts and oaths might be broken; and in its vivid presentation of epideictic delivery and celebrations for a departing and returning governor. Libanius' concerns for his school and his wounded pride are also, as ever, the chief themes.

This oration is divided into three parts, detailing separate grievances against Eumolpius. Up to paragraph 16, the speech is an indictment of a certain Alexander<sup>1</sup> and of the unjustified friendship that ties him to Eumolpius. This Alexander had sent his three sons to Rome to study Latin and rhetoric, supposedly scorning Libanius' teaching. When one of them came back to Antioch, Libanius argued that he had not learned anything and had forgotten Greek rhetoric. This may have been an unfair statement since the youth was now fluent in Latin, a language Libanius did not know. Incidentally, it should be noted that, contrary to the assertions of some scholars, *Or.* 40 does not have anything to do with the official establishment of a chair of Latin in Antioch, which dated to 388. For some time, the supposed ignorance of this youth curbed the desire of families to send their

1 He is tentatively identified with Alexander 13.

sons to Italy, but when this son of Alexander became assessor to Domitius, young men were reassured of the usefulness of Latin and resumed their trips. Moreover, Libanius implied that, in helping the Christian Alexander, Eumolpius, who was perhaps a pagan, betrayed not only the Greek language but also the Greek gods.

Paragraphs 17–23 concern another offence the two brothers committed at Libanius' expense. They wanted the sophist to compose an encomium of Domitius, who left office and then returned. Libanius was silent at first but then reluctantly assented, on the condition that nobody was going to deliver anything else after him. When the brothers also contacted a poet, Libanius considered the contract broken and withdrew. On the basis of section 26 of this speech, *PLRE* I identifies this poet with Andronicus 5 (*PLRE* I: 65–66) but there is no compelling reason to, besides the fact that both poets were from Egypt. The Egyptian poet delivered his encomium by himself. Libanius kept silent. But the brothers wanted Libanius' composition especially after Domitius came back to Antioch after being abroad. After much insistence Libanius delivered it. It was a great triumph with the procession of people accompanying the governor to his mansion after the event. The sophist even says that his speech was so successful that he delivered it several times, presumably to different audiences.

Sections 24–27 present another chapter of this affair. From here it appears that the poet too delivered his poetic encomium twice because the brothers greatly insisted like before. Again, Libanius invokes a breach in the agreement and yet the poet's delivery happened in a different day so that his claims seem less justified. *Or.* 40 gives much information on the delivery of speeches, and encomia in particular. They could be delivered in various locations according to their importance. *Or.* 11 (the *Antiochikos*), which celebrated the Olympic games of 356, commanded a large public and was given in the theatre, but speeches might also be delivered in Antioch's city hall, in a governor's headquarters, or in the theatre in Daphne. It seems reasonable to suppose that students' declamations and their teacher's response were given in the school.<sup>2</sup> Some governors – says Libanius – 'longed for an encomium more than other men were eager for office'<sup>3</sup> and Domitius seems to have been one of those. Delivering such panegyrics was part of a sophist's activity. In section 22, Libanius' words 'I delivered my speech, and then I did it again, and a

2 See *Or.* 34.3–4, where a very young student performs beautifully.

3 *Or.* 1.111.

third time and a fourth' are not easy to interpret. Reiske, *ad loc.* presumed that the encomium was delivered over the course of four successive days, according to a practice known from the time of Isocrates, who in *Antidosis* 12 maintained that a speech did not need to be delivered all at once at the risk of fatiguing the audience. Philostratus, *Vitae Sophistarum* 537 referred to the sophist Polemon declaiming for three days consecutively but on different topics. In his *Autobiography* (*Or.* 1.111–14), Libanius says that he delivered the panegyric of the prefect Strategius Musonianus over three days in the city hall because of the length of the composition. The encomium for Domitius is not extant and thus it is impossible to gauge its length. The context, however, does not seem to suggest that more than one day was needed for its delivery. It seems either that Libanius divided the encomium into different parts that he delivered at intervals throughout a single day or, more likely, that he is referring to encores that people asked him to give, as he says in *Or.* 1.128 that the audience of a speech could request encores.

'What? Is it so awful that someone would speak after you on the same subject?' is the objection formulated in section 19. But Libanius does not want to enter into this issue, it was probably mostly a question of etiquette. The last speaker – orator or poet – might have been the one who received the lion's share of recognition. Libanius, the official sophist of the city, could not risk having his glory diminished. This is also a manifestation of the rivalry between poetry and rhetoric. Though Libanius admired poetry, and enjoyed a poetic encomium composed about himself (*Ep.* 826), he was aware that poetry was not his calling (see Cribiore 2007a: 163–64).

The date of this speech is, in my opinion, earlier than previously surmised. Norman (1969: 2.liii) tentatively dated it to the late 370s (377) and Bradbury (2004: 157) suggested that the rift with Eumolpius took place in the 380s. Paragraph 24, however, which alludes to the decrepit state of Libanius' classroom and the fact that its entrance was blocked because access was dangerous, seems to refer to the situation mentioned in *Or.* 5.46–52. At the end of this *Hymn to Artemis*, Libanius reported how he entered the classroom with another student who needed to have his speech corrected but then the door collapsed and access was blocked. Fortunately, the rest of the students had not come to class on that day. In **Or. 40**, it seems that that accident had happened not long before. Libanius' classroom would not be left for long in such an unsafe condition. Martin (1988: 136) tentatively dated *Or.* 5 after 364 and Schouler (1984: 42) to the spring of 365. Domitius 1 was possibly *Comes Orientis* after 364 (the post was filled

until then) but his tenure probably amounted to one or two years.<sup>4</sup> *Or. 40*, therefore, could be dated around 365.

In 359 Libanius had addressed a letter to Eumolpius, F75 = B119, in which he urged him to maintain his friendship with a citizen of Antioch, Parthenius. The letter, like *Or. 40*, is much concerned with friendship: Eumolpius and Parthenius had become intimate friends but the former was offended by the friendship of Parthenius with someone who was hostile to him. In *Or. 40*, it is Libanius' turn to be offended by Eumolpius' 'betrayal'. In later years, however, around 384, the rift was mended. *Or. 1.188–89* shows Libanius' desperation at the death of a favourite student, Eusebius, whose eloquence was peerless. Eumolpius became aware that Libanius was going insane with grief and assisted him. He became governor of Syria in 384–85.

### SYNOPSIS

1–4 Proem. I will criticize you but I am your friend as some mythological examples show.

5–8 Narration. You favoured your friend Alexander who sent his sons to Rome and convinced your brother Domitius to make one of them his assessor. Thus rhetoric was ruined.

9–13 Transitional passage on friendship and on Eumolpius' admiration for Alexander. Short invective against the latter in section 10.

14–16 Objection of Eumolpius: someone would have promoted this youth anyway. Response: let them do that but you should not insult our friendship.

17–20 Narration. The two brothers insist that Libanius deliver an encomium of Domitius but they break the agreement stipulating that a poet should not perform after the sophist. Libanius refuses to deliver.

21–23 Domitius departs and then returns. Great insistence on Libanius to deliver the encomium. He does so in triumph.

24–27 The brothers insist on a second delivery of the poem. The poet does so without success.

28 Short epilogue.

This oration was translated into French in Malosse and Schouler 2008.

4 *PLRE* I: 1082–83 lists the known tenures of other *comites*.

1. I declare and would never deny that I have been your friend for a long time now, Eumolpius, but I also say that what I now intend to do – that is, criticizing what was not done rightly – shows me to be a true friend. Praise that is not honest tends to corrupt too, but one who makes a necessary accusation does so to advise another and to prevent similar mistakes. This is not a sign of hostility, but these things are: praise for mistakes and silence that neglects to scrutinize them. Therefore, if I ever helped you, as you have often said, it seems likely that I can do the same now. 2. There will be people who will let forth at length against my speech<sup>5</sup> and will attempt to persuade you that you have suffered injustice at our hands and should exact the punishment that is rightly due to you. Yet, do not be mistaken and deceived in this matter. Rather, regard as foes to both of us those who wish to bring us to blows and to make us enemies instead of friends. You have never, at any time, suffered wrong at our hands. Acknowledge that this, too, is the result of goodwill. 3. Neither Diomedes nor anyone else who criticized Agamemnon's decision to run away was a foe to him against him for saying such things among the Achaeans:<sup>6</sup> nor was Odysseus a foe to Achilles in talking about his father Peleus when arguing that it was not noble that he persisted in the quarrel.<sup>7</sup> But in fact we hear that the friendship between Achilles and Patroclus was definitely the most true. I think that Patroclus would not have appeared less noble towards Achilles if the latter had died first, but he would have made the same decisions, exacting vengeance and sacrificing his own life. 4. Patroclus, therefore, imagines that his friend has 'rocks' and 'the sea' as parents, instead of his real ones.<sup>8</sup> He does so not to attribute to him a less noble reputation and make him appear less worthy than before among the Greeks but in order that Achilles, feeling shame at the comparison with rocks and sea, might become rather more moderate and succour those unfortunate men. He certainly made him better. For even though Achilles didn't stand up himself, didn't don the armour and didn't fight, although he remained inactive, he helped the man who had appealed

5 Libanius anticipates the possible criticism that the current speech will raise.

6 See *Iliad* 9.16–78: both Diomedes and Nestor evaluate the decision of Agamemnon to go back to Argos. Cf. also the advice of Nestor to the king in *Iliad* 2.344–68.

7 *Iliad* 9.252–60: trying to persuade Achilles to return to the fight, Odysseus reminds him of the advice of his father Peleus not to be too proud. For similar use of Homeric parallels, cf. *Or.* 55.18, where Priam is able to convince Achilles by reminding him of the difficulty that his father Peleus was encountering.

8 See *Iliad* 16.33–35: Patroclus accuses Achilles of being cruel by keeping away from the battle. Cf. the allusion to this episode in *Or.* 15.35 when Libanius tries to calm the anger of the emperor Julian.

to him, handing over his forces and misleading the enemy by means of his equipment, as if he were actually in command himself!<sup>9</sup>

5. Which of your deeds do I censure? You dishonoured my teaching chair, adding to the injuries of this critical time and bringing the Greek language, which was already bespattered with mire, into greater dishonour.<sup>10</sup> You caused me to toil amidst a small group of students,<sup>11</sup> all but proclaiming in a clear voice: ‘Fathers, most foolish of all men, avoid these rocks on which you waste your seed. Send your sons instead to rich Rome, where one can reap the fruits that bring success’.<sup>12</sup> 6. How did this happen?<sup>13</sup> Alexander, who had opposed the tenure of Plato<sup>14</sup> – you all know what I mean – rented a boat, insulting my classes,<sup>15</sup> gave his sons lots of money, which he has because he hasn’t shrunk from any ploy, and, buoyed up with great hopes, wasted as much money and time as possible. When he first heard about his sons’ ignorance, he was in a state of disbelief, but afterwards, he was forced to believe; for while the sons who remained in Rome knew their own

9 *Iliad* 16.278–83: Dressed in Achilles’ armour, Patroclus kills many warriors. Sections 2–4 reinforce section 1 using mythical examples.

10 In Plato, ἀπὸ καιροῦ means ‘out of season’ (LSJ s.v. IIb), so that here the sentence might be translated ‘adding to my unseasonable injuries’, but it is difficult to say to what it refers. In his later years, Libanius battled against disciplines that he considered rivals to his own, that is, Roman law and stenography. Students spent less time on rhetoric and those new disciplines brought careers and success (cf. Cribiore 2007a: 205–13). Cf. also *Or.* 38.6 on his remarks on the Latin teacher and his dislike for Silvanus’ son, who, in the sophist’s view, was studying Latin only to displease Libanius.

11 Libanius was always preoccupied with the number of his students (cf., e.g., *Or.* 51.15). When he was old, besides dropping out of rhetorical classes, students started to attend his school for shorter periods.

12 Young men went to Rome mainly to learn Latin and Latin rhetoric. After that, they were able to go on to a school of Roman law, notably Berytus. In *Or.* 2.44, Libanius says that people consider rhetoric as a stony ground on which seed is lost.

13 The descriptive part of the first section of the speech starts here and continues to the end of para. 8.

14 Plato seems to be a pseudonym. In *Ep.* 405.4 = N6, it is the pseudonym of the sophist Zenobius, Libanius’ predecessor as official sophist in Antioch, and Libanius refers to Zenobius here. Cf. Philostratus, *Vitae Sophistarum* 570 on the pseudonym of the sophist Alexander, nicknamed ‘Clay-Plato’. See also Libanius’ nickname Epicharis (the charmer) in *Or.* 2.19–20. In *Ep.* 504.4 Libanius calls Eubulus (?) Cocculion (a cuckoo) and this nickname derived from his laziness and luxury. He also called repeatedly Proclus 6 Coccus (seed), and Anatolius 3 Azutrition. In *Ep.* 1406 = N110, Libanius mentions ‘the man with the nickname from the sandal’. Cf. the pseudonym Mixidemus and the introduction to *Or.* 39. Alexander’s hostility to rhetoric was not just confined to Libanius but many at the time were critical of this discipline.

15 Libanius uses the plural of διατριβή to indicate his classes or his school as in *Ep.* 653.2.

shortcomings, the one who came back was put to the test and exposed. And so Alexander's enemies were happier than those who have found treasure, but his friends lamented with him that such bright hopes were shattered for him. Thus the *rhetor* went around knowing none of the things he should have known (to put it mildly). He was no better than a slave nor a phantom since he did not say anything nor did he pay attention when anyone spoke: he so shrank from using his mouth that even nodding assent was exhausting for him.<sup>16</sup> 7. When such a one came to us from Rome as a gift from Hermes,<sup>17</sup> those who had not sailed there in search of her goods were congratulating themselves and Attic rhetoric was profiting from the fact that the youth had not only lost what he had before but what's more not acquired that for which he had gone.<sup>18</sup> And yet – on account of your brother who wrongly listens to you in everything – you elected as an assessor the said lad who was speechless in company of the audience and was always bound to be this way. The carriage transported this unexpected passenger together with your brother, and this made the young men at our school turn back to other subjects, and they began to admire what they had previously condemned. And so harbours again and ships again, the Adriatic Sea, and the Tiber.<sup>19</sup> 8. Just as, by diminishing the flock of a shepherd, the cattle of a herder and the horses of a horse-keeper, you would wrong each of them,<sup>20</sup> so do you wrong those who hold in their hands the Greek language. You could not even say that official affairs needed his expertise and that everything would have been ruined had he not become assessor. We have heard in fact that he makes his business eating, drinking, sleeping<sup>21</sup> and delighting his eyes with the many spouts and with the breezes that blow over the pool of water.<sup>22</sup>

16 Silence of course is the worst quality for a rhetor. *Or.* 1.71 mentions the defeat of a sophist who became unable to speak.

17 Libanius may be ironic. Hermes, the god of Greek rhetoric, may have given him a gift since the youth failed to learn Latin rhetoric. The Greek term ἔρμῃον regularly means a 'godsend'.

18 Libanius maintained that rhetoric had to be cultivated, otherwise it slipped away. See the main theme of *Or.* 35, which is against those young men who failed to cultivate it after school and so could not speak publicly in the Council. Though Libanius says that this son of Alexander had not learned Latin and Latin rhetoric, this may not have been completely true.

19 Finally, the young men began travelling again to study at Rome, which was approached from the sea up the river Tiber.

20 An idyllic image, though Libanius considered shepherds ignorant (see *Or.* 15.68.7).

21 Cf. *Or.* 12.31, where Libanius praised Julian, who did not indulge in those pleasures. For his intolerance for those who ate and drank excessively, see Cribiore 2007: 17.

22 See *Ep.* 552 = N22.5, where people stand by this pool in the baths in Antioch. Cf. also *Or.* 51.9, where there are two pools – one for cold water, the other for hot water. It is difficult

9. Do you wish me to say why he has done these things? Do you wish me to go over the matter of the horse and the shiny bit and all the gifts that were given in the shadows but could not escape notice?<sup>23</sup> You will say that it is nice to do a favour to a friend and that Alexander is your friend.<sup>24</sup> What? Aren't we your friends too? How could you think it right to do a favour for that man by hurting us? You would not dare to say that one friendship is more valuable than the other and Alexander is preferable to me. But even if he is so much to be preferred to me, yet he is certainly not to be preferred above the Greek gods nor the goddess who acquired the mother of Erechtheus through the (olive) bough.<sup>25</sup> In spite of all these things, you granted him those favours, even though you had reached your position with the help of Greek rhetoric,<sup>26</sup> not Latin rhetoric.<sup>27</sup> 10. I would gladly demand from you an account of your friendship with Alexander. Of what sort are his family, upbringing and education? How great is his humanity, his assistance to the needy and pursuit of excellence? Was this man useful to you in legal matters? Was he good for his advice? Was he the sort of man who brings good repute to his associates? Didn't he run away from the land he was cultivating to work for a trader? Didn't he, due to the randomness of fortune, make money by destroying with the interest

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to be precise in identifying this feature in the baths of Antioch since they were rebuilt many times after earthquakes and there were several baths. Downey 1963: 264 (and plate 24 with a plan of the baths) writes that in the fifth century an earthquake destroyed two public baths that were intended for use in the summer and in the winter respectively. Libanius here may be alluding to a pool that was in the open air and provided with water-spouts. It is to be emphasized that he is of course a good source for the archaeology of ancient Antioch.

23 The theme of gifts given improperly and leading to corruption is very frequent in Libanius' orations.

24 Sections 9–13 cover the reasons for the friendship between Alexander and Eumolpius, which Libanius does not think justified.

25 This is a foundation myth concerning Athena, who acquired the land of Athens in a contest with Poseidon. The god planted his trident and a spring of salted water gushed forth (not very useful). Athena won because she planted the olive tree and the king of Athens preferred her gift. She then became the patron deity of the land of Athens (that is, of the mother of Erechtheus). The latter is a mythical king of Athens who was worshipped as a cult figure in the Erechtheum on the Acropolis. Libanius means to say that the Greek language (Athena) was superior to the Latin that Alexander made his sons learn. He is also alluding to the fact that Alexander was a Christian and Eumolpius, perhaps a pagan, could not help him over the Greek gods. In section 13, Libanius calls Alexander 'impious', using a term he usually applies to Christians (e.g., *Or.* 10.30.5).

26 It is uncertain to what Libanius is alluding.

27 The panegyrics of sophists could help the careers of politicians.



he charged more people than those who live by thievery?<sup>28</sup> Didn't he ruin a man who lived virtuously with his extreme debauchery and the pain that derived from it, and finally didn't he unleash his greed on the graves,<sup>29</sup> depriving the dead of their final honours?<sup>30</sup> **11.** What reasoning convinced you to deal with such an animal and then to become his close friend so that people saw you with him everywhere, at all times, and at each hour of each day as if you had become one? 'He was my neighbour, by Zeus!' You say. But how many others were there, more impoverished than Alexander but of better character? You overlooked and neglected all of them, and bound yourself to him, so that it was amazing when you did not appear with him. **12.** Many other people too in every city have vile neighbours, but living close by does not compel them to become friends. They have in common one alley, or, if you will, one wall, but are not friends beyond that; they are enemies and suffer many fights and injuries virtually every day, and the fact that they are neighbours cannot create friendship but rather hostility. Countless people testify to this, but you suffice: you have lived through such a long war with your neighbour Magnus that you consider crazy those who mention peace.<sup>31</sup> **13.** It was especially necessary to avoid at all cost that impious<sup>32</sup> man, though he was your neighbour, but now you have come to admire him so much that you have confounded the justice you owe me to do him a favour. You were so aware that you were committing an injustice that you did not communicate with us about what was going to happen nor did you come and say that you wished for Alexander's son to become assessor for your brother (who by the way is my friend),<sup>33</sup> stating, 'I consider this awful and declare and proclaim that it happened without taking you into account; I would like you not to oppose this'. In this way you would have done honour to the name of friendship and would have done all that was proper, whether persuading me or not. But as it is, the secrecy of this affair and your attempt to escape notice at all costs are visible proof that not even you think that there was any justice in what you were doing.

28 The theme of usury occurs frequently in Libanius (see, e.g., *Or.* 62.65–66).

29 Profiting from graves was the ultimate evil (see, e.g., *Or.* 63.18).

30 The portrait of Alexander follows all the guidelines of invective: low birth, usury, debauchery, and greed for the valuables to be found in graves.

31 This man is unknown.

32 This adjective always refers to Christians in Libanius.

33 Eumolpius' brother was not really a friend of Libanius considering how he criticizes him. Moreover, the sophist had some grudge against him because of where he sent his sons to school (see section 17).

14. 'But if this man had not obtained this post with my help, wouldn't another be there with someone else's help?'<sup>34</sup> You will perhaps even say this. If this argument is weak, let it not be articulated. But if it is strong, why didn't you bring it up before this happened, since we were not likely to dismiss it if there was any justice in your words? I think, however, that you have rejected this argument too, though the answer was very easy. 'Dear fellow, someone else will do this? Let him do it! Your brother will choose an assessor among those who have seen Rome? Let him choose one.' 15. But don't insult our friendship and don't wish to incur punishment instead of someone else. If you were a pilot and, to prevent being rammed by an enemy ship, you sunk your ship, you would not say to the master 'I did what another would certainly have done'.<sup>35</sup> And if someone is going to perish anyway because of a disease, we do not cut his throat before the end under the pretext that the disease would have done this in any case. 16. And again, of two generals, if one were well disposed towards those who dispatched him while the other intended to betray them for money, and then the better one realized it, what do you think the better one should do? Should he plan to be disloyal like the other? What would save him later if accused – that he stole the plan for betrayal that another would commit anyway? 17. Everything you have done on behalf of Alexander shows what sort of friend you are to me! But hear now a second occasion I have been insulted by you, when you gave the order and your brother obeyed.<sup>36</sup> You both asked me for an encomium of your brother, begging more vehemently than you would for bread. I could have said: 'Domitius, ask this of those teachers to whom you entrusted your children. You did so in the belief, I think, that they were more capable and qualified. You would not say that they were worse. It is indeed the greatest contradiction to admire Egypt and Phoenicia when planning for your sons and then fall back upon someone else when you desire a speech of praise'.<sup>37</sup> 18. I could have said this but didn't, and at

34 This is the first objection to the argument.

35 The examples in this and the following section look like topics for *progymnasmata*, the preliminary rhetorical exercises in which students wrote compositions developing or arguing against such topics. Volume 8 of Foerster includes those written by Libanius; for an English translation, see Gibson 2008.

36 The second part of the speech starts here.

37 Domitius seems to have a special relationship with Egypt, which was perhaps his home, but this is the only source on this subject. He was going to go there after his office terminated and one of his sons studied in Egypt, probably rhetoric, since Libanius was so offended. Alexandria, in any case, could offer every kind of higher learning, including Latin

first I left in silence. You then came to my home and did not leave anything unturned and did this often. You made allies of my closest associates<sup>38</sup> and when they said that they would not suffer my refusal to do this favour, accordingly when I was pressed by so many, I said: 'I will compose the oration with the help of Fortune and will deliver it, if Tyche herself grants this as well. But, Eumolpius – I said – on the condition that after me nobody (neither a rhetor nor a poet) will deal with your brother on the same terms'.<sup>39</sup> When you heard this, you swore, saying, 'Stones will speak before this happens'.<sup>40</sup> We agreed on this and then parted. **19.** Let no one say, 'What? Is it so awful that someone would speak after you on the same subject?' Right now I am not discussing this matter but only whether an agreement ought to be sovereign. It is easy to show how that was changed. Not many days later you came to me in the evening and were saying that a certain poet wanted to receive your brother in the theatre, adding to this the further stipulation 'After me', and that your brother approved this addition.<sup>41</sup> This is how the agreement came to be invalidated since the contract stated that nobody could speak after me, though I did not prevent a prior speech. After all this was said, I took refuge in fabricated excuses and remained silent, but they arranged the poet's performance and he performed.<sup>42</sup> **20.** What wrong are you doing in this? Breaking the agreement. You annulled it without blaming, holding back, or preventing your brother. If he did not know the terms of the contract, the person who did not inform him is responsible for that; it is *you* who had to inform him.<sup>43</sup> But if he knew the contract, he should have stayed within its terms out of fear of your outburst in favour

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and Roman law. Domitius' other son learned Roman law at Berytus, where there was a famous school. The poet hired for the encomium was also Egyptian. Libanius felt threatened by schools in various locations that might attract his students.

38 He may be referring to his secretary Thalassius as in section 22.

39 Libanius wanted a complete triumph. He had several friends who were both rhetors and poets (for example, Acacius 7, the father of his student Titianus) and he admired poets very much but felt incapable of composing poetry.

40 This is a proverbial expression that appears slightly modified in *Prog.* 8.2.23.3 and *Decl.* 26 1.10.11. Cf. Salzmann 1910: 91.

41 This is the version of Eumolpius who in section 25 talks about the poet's insistence. In 26, however, Libanius says that the poet had been forced to perform after being paid.

42 Public orations might be delivered in the theatre (before hundreds or even thousands of spectators), in Antioch's Town Hall, in a smaller theatre in the governor's headquarters (cf. *Or.* 1.180) or in the theatre in Daphne.

43 As the speech unfolds, Eumolpius appears as the one who organized everything while his brother only listened to him.

of keeping it: 'Brother, we will turn everyone against us, if they think that we do not know how to respect an agreement'.<sup>44</sup> Yet nothing of this sort did the *excellent* Eumolpius say to his brother.<sup>45</sup> Rather he reported to us what his brother had told the poet, without covering his face in shame but with eyes wide open<sup>46</sup> and did not himself consider that the agreement would drag him off taking hold of his cloak nor was he able to shut his mouth.<sup>47</sup>

21. Well, next your brother departed after he heard the poem; he spent time in both cities,<sup>48</sup> and it was expected from one day to the next that his office would terminate.<sup>49</sup> Yet it did not turn out this way, but he came back again with all the paraphernalia with which he had left. Then came so many entreaties, both from you and your brother, regarding the speech I had written, so that it could be brought out publicly and be shown to the city. You begged us even with tears not utterly to disgrace your family. For it would be a clear disgrace if your brother leaves for Egypt without receiving my speech;<sup>50</sup> this would give those who resent him a pretext for damning criticism. 22. Since you could not win me over, you rushed to the doors of the philosopher<sup>51</sup> because you thought that I had to do whatever he bid. I heeded his suggestions and delivered my speech, and then I did it again, and a third time and a fourth.<sup>52</sup> Through my words, those who heard saw more clearly everything that concerned him and in particular

44 Domitius is a governor and has to pay particular attention to social conventions.

45 In addition to the irony in the word 'excellent', this and the following phrase are in a cold third person.

46 Cf. the ending of *Or.* 38 where bold eyes are a sign of the impudence of Silvanus.

47 Libanius personifies the contract. Cf. the note at *Or.* 51.2 for other examples.

48 Antioch and Constantinople.

49 It seems that instead he was reconfirmed and so needed Libanius' panegyric even more.

50 The oration here is a bit confused. Libanius possibly refers to the time when, after one year in office, Domitius would go back to Egypt. At that point, not to have a speech by 'the sophist of the city' would reflect badly on his reputation.

51 Thalassius was the beloved secretary of Libanius. The sophist wrote *Or.* 42 to promote the latter's nomination to the Senate of Constantinople but the application was unsuccessful. Libanius called Thalassius 'philosopher' in that speech too, because he was wise. It is also possible that he liked to read philosophy. The term 'philosopher' in late antiquity also designated a person's culture and wisdom.

52 It is not entirely clear where Libanius performed so many times. He says below that he spoke in the theatre that was in the town hall and in the governor's headquarters but he also must have delivered this oration to groups of friends. It is also possible that he did not do this immediately but delivered it later to people who could not have been present.

matters related to the office he held<sup>53</sup> and so they leapt up in such a way that they almost tumbled head first and shouted so loudly that they had no voice left. Of what happened in the town hall, one could perhaps give an indication, but the events that took place from there to the governor's headquarters are beyond comparison.<sup>54</sup> Not only did the young men who were still in school take and lead him in their midst together with their fathers, whose task it is to take pains for the common interest, but there one could also see people who had gained name and reputation from their offices and positions.<sup>55</sup> **23.** The man escorted in the procession had in lieu of crowns<sup>56</sup> the hands<sup>57</sup> of these and their voices which were stirred by what was said about him<sup>58</sup> to make one of those celebrations by the ordinary people.<sup>59</sup> Everyone remarked that then for the first time the Sun had seen so great a tribute and also that the words that described Agamemnon in the midst of his army were befitting to him.<sup>60</sup> After passing the threshold with such acclamations and revelling like bacchanals<sup>61</sup> in the courtyard, they reluctantly departed, only ceasing from their uproar by order of the man they were celebrating. And there was nobody who did not give me the credit for what had happened.

53 So the panegyric covered Domitius' life and career.

54 This is one of Libanius' triumphs. Cf. *Or.* 1.88–89 on the frenzied response to his performance. When Libanius on his return to Antioch delivered an oration in the city hall, people packed the room and responded enthusiastically by jumping up and applauding. 'Even the gouty were on their feet' and refused to obey the sophist who asked them to sit down. This passage strongly imitates Aristides, *Sacred Tales* 5.30–34. Aristides arrived in Smyrna to declaim and described the frenzy of the people who packed city hall; see Criboire 2008.

55 The procession is made of the students, their fathers and all the notables. On celebrations for governors, see Slootjes 2006: 105–28.

56 It seems from this that crowns were part of celebrations for governors.

57 Cf. *Or.* **41.15**, where it appears that people moved and waved their hands during acclamations. Here people waved and shouted to celebrate the governor. Cf. below *Or.* **40.26**.

58 They were excited by the words of Libanius' panegyric. Domitius and Libanius are both at the centre of attention.

59 Cf. *Or.* 15.19 for a similar expression and context. There Libanius alluded to eventual acclamations for Julian accompanied by dancing and applauding. The situation is similar here.

60 *Iliad* 2.477–83: Zeus makes king Agamemnon look triumphant. A similar passage in *Or.* 1.89 describes the triumph of Agamemnon after taking Troy. On advice on how to use the image of the sun, see Menander Rhetor: 380–81. Cf. also Libanius *Ep.* 1350.3 = B109, when a governor was unjustly accused, slander was 'like a cloud before the sun's rays'.

61 Libanius also describes the frenzy of bacchanals in honour of Dionysus in the passage mentioned above in *Or.* 1.88.

24. But he (your brother) on the one hand asked to have a speech delivered but at the same time added a poem to my speech once it was pronounced and hid his insolence as long as he could; this insolence you share because you tried to hide (your violation) while the agreement was nowhere to be seen. He actually was so fixated on this insult that he went up to the school, an unsound building that was at risk of tumbling down, so that its access had been closed to those who entered after the first ones in fear of the expected wreckage.<sup>62</sup> But before he went up, he came to my home and asked me to allow the poetic display in the theatre. You were sitting by my side and heard him say those things and, by keeping silent, said the same, even though, if nothing else, these words at least, you should have rebuked.

25. 'But, by Zeus – you say – that poet kept on insisting, was a real nuisance, and persisted so that it was impossible to drive him away!' But if your father were still alive and this man (the poet) persistently asked you that the two of you strike your father, prostrating himself before you, with no holds barred, bursting in as you were entertaining or while you were resting, would you then beat your father because this man was a nuisance? And would you do the same to your mother and to others? No, you wouldn't. So I should not have been beaten either. 26. It was not enough for you that someone else was going to speak after me, but you aggravated the insolence by the place you chose.<sup>63</sup> You said you were forced to do that, but the poet tells by whom you say you were compelled, [claiming] that he himself suffered this at your hands and swears by all the gods, including those worshipped in Egypt, that it was you who put him in this position and that he did not want this at all but could not get out of it: it was exacted more harshly than when people owe taxes.<sup>64</sup> Thus you do wrong by the violence you perpetrated and the lies you tell. You ruined a joyful day with a day of darkness when you saw, instead of the previous bands of people celebrating, just a single pedagogue in worn-out

62 In *Or.* 5.43–53, Libanius says that a miraculous intervention of Artemis saved him and his class when a piece of marble and other stones collapsed from the top of the door of the schoolroom.

63 Perhaps the main theatre where the most important celebrations were given.

64 The poet could not escape because he had been paid already. The two brothers were brutal like tax collectors because they had advanced money and requested that he perform. Tax collectors did not have any pity because they were flogged if they did not exact the right amount of money from people who had trouble paying (cf. *Or.* 33.32, where the governor Tisamenus flogs decurions responsible for the collection of tributes).

sleeves waving his hand.<sup>65</sup> Yet you went up to the theatre expecting that you would have a day akin to that previous one.

27. But I will return to the point: someone under oath should be more trustworthy than one who is not, particularly when you were exerting yourself in every way for the poet to obtain what he was trying to avoid, I mean the town hall with its spectators. These things aggravated the city to such an extent that you did not receive from it fitting celebrations since those on his departure were on the same level as the celebrations for his arrival, but it was a veneer of honour rather than a real one.<sup>66</sup>

28. You see, Eumolpius, how many are the duties towards me that you have neglected and in how many ways you disregarded me; it is better to say how you have betrayed me.<sup>67</sup> Think therefore of the future and take care to have friends who praise rather than blame you.<sup>68</sup>

65 Cf. Lucian, *Teacher of Rhetoric* 22, on people waving their hands at rhetorical displays as a gesture of assent. See also Eusebius, *Church History* 7.30 9, on people in the theatre applauding and shaking linen handkerchiefs. For darkness related to corruption, see Aristides *Or.* 24, *To the Rhodians Concerning Concord*. In section 51, Aristides tells them that they inhabit a city sacred to the Sun and yet they are corrupted in darkness.

66 Thus the celebrations for the departure of Domitius were allegedly hampered by the polemic that arose from the poet's display.

67 The text here seems to be corrupt. It is likely that ἄμεινον suggested a term of comparison with ἤ. One solution, adopted here, would be to read the relative adverb ἣ, 'in which way, how'. Otherwise one could read ἥ, 'in truth, indeed', that is, 'in fact it would be better to say'.

68 As usual, the epilogue is very brief in Libanius. It responds to the proem, reiterating that friendship had been damaged and it was necessary to say how that had happened.

**ORATION 55 (EARLY),  
TO ANAXENTIUS**

This oration is an open letter to a young man, Anaxentius, a response to letters his father, prompted by the threats of a local sophist, sent him, urging him to come home (that is, back to Gaza) and abandon his rhetorical studies in Antioch. From the first section, which forms a very short proem, it is clear that Libanius was the teacher Anaxentius was supposed to leave. According to Libanius' advice the young man would derive some 'advantage' (section 1) if he should decide to stay and continue his studies. The later parts of the oration fully develop the case for remaining in Antioch. Sections 16–19 consist of a series of *paradeigmata*, examples taken from history and mythology that illustrate in various ways the advantage Anaxentius would gain from waiting.

Numerous letters on papyrus from Greek and Roman Egypt testify to the correspondence between young men studying away from home and their parents (Cribiore 2001: 111–23). Parents always worried whether their sons had found suitable teachers, were well treated, and were learning. See, for example, *P.Oxy.* 6.930, the letter of a mother who worried about the possibility that her son might look for a new teacher and inquired about his reading of Homer.<sup>1</sup> These papyri show the everyday problems that young men away from home faced, which usually amounted to mild disagreements with their hosts, or difficulties when their teachers resettled somewhere else.

The situation that appears in *Or.* 55, however, is unusual and seems urgent: Anaxentius' father had allowed him to go to Antioch to study under the tutelage of Libanius, but was being harassed by a vindictive and powerful teacher of rhetoric in his home town. It is impossible to identify this sophist but we know that at the time and in the following century Gaza was a cultivated city that offered every level of education. In urging the young man to stay, Libanius is actually arguing against the wishes of

<sup>1</sup> Translation available in the publication.



Anaxentius' father, who apparently had asked the young man to return promptly both to calm the anger of the vindictive teacher and to become the teacher's assistant. The first sections of the speech, therefore, expand on the honour that should be paid to fathers, second only to the gods, and exhibit reminiscences of Isocrates and the maxims preserved by Stobaeus. These texts were very popular at all levels of education in antiquity. Students copied sentences as writing exercises in elementary school, and at more advanced levels developed them rhetorically. Of course, Libanius does not want to run the risk of being impious by suggesting that a son should go against a father's orders. In the rest of the speech, however, he develops rhetorically (we should say sophistically) many other points.

But what are the claims of the vindictive sophist? How is he contriving to damage the interests of this young man and his father? Reiske, in notes to sections 2 and 18, proposed that Anaxentius had to go home to perform curial duties and that the sophist played on this obligation. This seems a good suggestion even though there is no evidence for it in this oration. Three of Libanius' letters, however (e.g., *Epp.* 820 = R 29; 376 = R49; and 910 = R64), give examples of young men who had to undertake civil service and were recalled from their studies abroad to do so. The first of these letters, for example, alludes to a similar situation: Asteius, who had not completed his studies with Libanius, was called back home because his elderly father had to undertake a liturgy; though aware of the damage to his son's rhetorical studies, the father could not do otherwise than to pass the liturgy to his son. Libanius pleaded with a governor to help Asteius' father and allow the young man to remain in Antioch; Asteius would show his gratitude to the official by celebrating his virtues in rhetoric. In *Or. 55* it is unclear how Anaxentius would become the assistant of the rival sophist in his home town without apparently undertaking civil service, if indeed the teacher was threatening him with a liturgy. It may be that the threat was directed only against the young man's father. It is also possible that this was merely a threat without substance.

Festugière attempted to identify the main figures of this speech, that is, Anaxentius, the sophist of Gaza and the father who in the oration acted as the pedagogue of his children; however, it is possible that these people are not entirely real, but composites that Libanius drew from various reminiscences. The name Anaxentius does not occur in the letters concerning education and the father-pedagogue cannot be identified either. Since the letters of Libanius from the years 365 to 388 are missing it is possible that there were references to these people in letters from these years. Another

hypothesis, however, should be considered: the letters and the orations belong to different genres addressed to different audiences, and responded to their various expectations. So, for example, the Libanius of the letters is always a deeply caring, somewhat optimistic teacher and other people who appear in the letters can usually be identified from other contexts; but the sophist of the orations is a bitter teacher who rants against lazy and uncaring students who, most of the time, cannot be identified. Certainly the present oration is *sui generis* and is similar to a letter expanded at length. I suspect that Anaxentius was not a real student but that his story had an exemplary value. He is an extreme *paradeigma* of a student who deserts and his story has the function of showing that if a young man confronting such a dire situation was still supposed to continue his studies without responding to his father's call of duty, other students who left for less important reasons were hardly justified in abandoning Libanius.

It is impossible to date this oration with any certainty because of the lack of secure indications, but Foerster (rightly in my opinion) thought that it was an early work, not one from the later period when the sophist had become weak, pessimistic and bitter. This speech shows an energetic Libanius who fights with every weapon at his disposal to retain a student. At the beginning of his career Libanius had to prove his ability in many contests because this was the way in which he could attract and retain students (Cribiore 2007a: 91–95). In later years the situation became worse. He claimed that students did not have the same high esteem for rhetoric, stayed only a few years, and tried to learn other subjects, such as Latin and Roman law, that could give them better chances of obtaining jobs in the administration. Young men, therefore, went to Rome and Berytus. This is the situation in *Or. 40* that displays the sophist's bitterness that some of his students had left his classes to go to Rome. These problems do not exist in *Or. 55*, which points to quality of rhetoric as the chief reason for a student to stay and basically consists of an encomium of eloquence similar in principle to that in *The Encomium of Helen* of the fifth-century BCE sophist Gorgias of Leontini.

The problem of defections (*apostasis*) of students who transferred from one sophist to another was a constant one in the lives of teachers of rhetoric even in the absence of rival disciplines (Cribiore 2007a: 191–96), but it assumed alarming proportions in the 380s. Libanius maintained that this problem manifested itself as soon as he went to Antioch but that it did not exist when he was young (cf. *Or. 43.8* and *Ep. 405* = N6). It is interesting that the letters very rarely mention this issue and present parents with

an optimistic scenario, but the problem often appears in the speeches. Libanius' *Autobiography* shows over and over again how sophists were preoccupied by the decreasing number of their students and how Libanius' *chorus* (class) fluctuated for a long time until it finally became more stable (cf. *Or.* 1.31; 53–55; 104). The issue of defections and rebellion (*stasis*) of students is often apparent in the orations of the contemporary Athenian sophist Himerius (cf. especially *Or.* 16, 18, 35, 65 and 66).<sup>2</sup> While Libanius as a rule considers that external reasons (such as the threats of the sophist of Gaza in this speech) are responsible for defections, Himerius also hints at students' dissatisfaction with an immutable and rigid curriculum of rhetoric and their desire to change themes and style. Himerius' approach to rhetoric was, in any case, different from Libanius'; it was heavily mythological and had a poetic, allusive quality and a lyrical style. Perhaps his students aspired to a more down-to-earth system such as Libanius offered.

Reiske corrected many points in this oration by conjecture and placed particular trust in the tenth-century codex Augustanus (= Monacensis gr. 483). Most of the oration (apart from sections 16–19) was translated into French by Festugière, though with some imprecision. Rather than following Foerster, he relied heavily on the conjectures of Reiske. The text of Foerster remains as of now the best text.

## SYNOPSIS

1 Proem.

2–3 *Prokatastasis* (preamble) on respecting parents.

4–5 Narrative of the threats of the sophist in Gaza.

6 Objection: 'I will be safe'.

7 Objection: 'I will be good to the sophist and respect the oath'.

8–10 Amplification on future difficult relations.

11–13 Objection: 'But my father is wronged'.

14–15 Amplification on orphans and education and on Libanius' early situation.

16–19 *Exempla* on orphans' determination.

20 Objection: 'The sophist and myself will be friends'. Response: Rhetoric is a treasure.

2 Cf. Penella 2007.

21–26 Amplification on the low value of wealth and glorification of good teachers of rhetoric.

27–29 ‘My father is in trouble’. Response: everything is worthwhile. Example of a good father.

30 Implied objection: ‘Nobody will stand by us’.

31–38 Epilogues.

1. My very dear boy, since I see that you are upset because of the letters from your father and I realize that some people here are making the same suggestion as the letters do,<sup>3</sup> I have thought about it and think that it is necessary to take action as a result of which you will be better advised. Perhaps some advantage will be in store for the adviser,<sup>4</sup> but the profit will certainly be greater for the one who is persuaded<sup>5</sup> than for the man who has persuaded.

2. The measures (both in deeds and words) which are now reported as being taken at this time against your father because of your coming to us,<sup>6</sup> would hold, each one of them, no little pain for the man who suffers them, and they should reasonably trouble us too. Do not suppose that I am trying to accustom you to neglecting your father. I know what the laws say, and in addition to the laws established by men, I do not ignore the law of nature and the fact that it should be honoured, after the gods.<sup>7</sup> We owe to this law the greatest debts, which are not inferior to those we owe our fatherland, and the man who errs in this respect is worse than a beast. Any injustice is more insignificant than this, and during an enemy attack one must be happy to receive a blow on behalf of parents; if he dies as a result of it, he can be admired and live forever and exist, at least as far as glory is

3 These are his friends and acquaintances in Antioch who urge him to leave and thus provoke the same response in the young man who is upset and full of doubts.

4 Libanius himself is likely to be in a better position if he does not lose this student.

5 Anaxentius himself, who will profit from longer study in Antioch.

6 The plural as usual alludes to Libanius and the other teachers of his school. Apparently the father is suffering because he decided to send his son abroad to study.

7 That is, ‘fear the gods and respect your parents’, as the texts say. See the anthology of Stobaeus, e.g., 3.1.26.18 and 3.1.194.84, which also includes honour to the fatherland. Cf. also Isocrates, *Ad Demonicum* 16.3. This comparatively long section on love and respect due to fathers continues in section 3 with the personal experience of Libanius who lost his father at a very young age but always revered his mother, as his *Autobiography* shows. The sophist needs to expand at length on the sacred duty to respect one’s parents to justify the advice he gives this young man to overlook what his father would like him to do.

concerned. May I not share the same roof<sup>8</sup> and table (neither willingly nor unwillingly) with the man who betrays his father and is so vile in repaying him! 3. I am more suitable than anyone else to recommend this. Of the two proofs, one for the father and one for the mother, I was deprived of the first by my father's untimely death, but I do not think that I gave my mother a bad proof [of affection] so that some people even imitated me because my good repute led them to it.

4. And now, if, by returning, you will stop those who are plotting from doing harm, while by eliminating the difficulties you will make your father's life smooth and untroubled again, hurry; do not hesitate – go; I do not think that Hermes would not approve.<sup>9</sup> But if nothing can change the man who is now hostile, and he will not be grateful for what he has forced you to do – for you did not do it at all willingly<sup>10</sup> – but rather he will enforce those measures you went there to avoid, what is the benefit of adding to these hardships a loss with regard to rhetoric? By coming here, you recognized that you were coming to something better, for you did not come to see the city but the reason was rhetoric. It is not possible at the same time to be elsewhere and to participate in the things here.<sup>11</sup> 5. But no one can guarantee you that that man, who is aggressive, harsh and unpleasant will shed his hostility from his soul and will make peace with your father who annoyed him, and instead of doing unpleasant things to him will be among his allies if someone goes against him. On the contrary, he will pester your father as he does now, or even more, and you in addition to your father, thinking that you both owe him a penalty, you because you wished to study with me, and your father because he agreed to this.<sup>12</sup>

8 Cf. *Or.* 38.19, where Silvanus apparently killed his old father by inflicting on him much pain. He did not respect the law of nature and Libanius said that one should not share the same roof with him.

9 Hermes assists those who journey. Here, however, Hermes is also the god of rhetoric who would protect the student who, for the love of his father, is leaving for another city where he will be occupied with rhetoric anyway. Most mentions of Hermes in Libanius do not show real devotion to this god who is stereotyped as patron of rhetoric.

10 We are forced to take the phrase as an aside, but maybe the text is corrupt. Instead of ἔκων, 'willingly', Reiske conjectured ἤκων ('going'), that is, 'you accomplished nothing by going', which seems better, even though the same verb occurs again in the next phrase.

11 One can take *παρ' ἄλλοις* as 'in another place' generically or 'with other teachers'. There is a continuous insistence that rhetoric in Antioch – that is, with Libanius – is better.

12 While in the previous section only the father was the target of that teacher's ire, now Anaxentius is depicted as being in trouble too and the possible dangers he might face are explained in section 6.

6. Do not think in fact that the one who experiences trouble (your father, I mean) is attacked and suffers evil but that you can escape the power of that man, which he has because he alone has seized the city.<sup>13</sup> If he, setting an informer against you on a false accusation, either thoroughly ruins you or puts you in prison (we know that many governors have granted such favours to many),<sup>14</sup> will you have freed your father from his misfortunes or have become his partner in the present troubles? I know, indeed, that prison has treacherously brought death to some people: may you never suffer that, not even in a dream!

7. You will say, by Zeus, that you will be good and just with him and will never do anything like what you did.<sup>15</sup> What oath will seem so formidable as to overcome his distrust? He will think that your oath will merely delay your decision but that, if the occasion arises, you will be the same again and will undertake the same studies of rhetoric. With these thoughts in mind he will be full of hatred and will make you hate him, as he hates you.

8. Thus having one flock to pasture together,<sup>16</sup> rejoicing at each other's troubles and feigning pleasure when things are good, might not be awful for him but it would be for you, since you are most excellent, just and truly free. You will necessarily live dissatisfied, considering yourself dishonest, condemning what you do but unable to avoid it. 9. Not the lecture rooms nor the baths, nor the shops,<sup>17</sup> nor the journeys of the governors, who travel elsewhere and return,<sup>18</sup> will limit your encounters. He [the teacher] will also invite you to his table: there are many occasions to do that and often there is a way [to meet] even without a special occasion.<sup>19</sup> Many find it more

13 It seems an exaggeration that a teacher of rhetoric can have such power, cause so much damage, and have the governor on his side. The language used is metaphorical, drawing on the analogy of a military attack on the city.

14 This is the usual criticism of governors that runs through Libanius' work. In *Or.* 1.2, Libanius maintains that the aim of oratory is to oppose the excesses of governors.

15 Anaxentius will have to justify leaving the old teacher and the new teacher will be suspicious and afraid he will do the same to him.

16 Libanius always calls his group of students 'a flock'. From this passage it seems that Anaxentius will take care of the students of the new teacher. He would probably be his assistant teacher. He might have been a student who already had already studied rhetoric for several years.

17 On meeting people and conversing with them in various shops (cf. *Or.* 51 10).

18 Anaxentius will necessarily meet the other professor in all these locations. When governors went away and returned there were celebrations with discourses. Cf. *Or.* 40.21, where a governor leaves, comes back and then will again leave for Egypt amidst rhetorical discourses and a poetical display.

19 See, for example, Libanius' dinners with his friend Olympius 4 and the philosopher

pleasant to entertain than to be entertained.<sup>20</sup> What will you do then? Not to accept would be difficult<sup>21</sup> but to accept shows an insensitive man who does not want to recognize what has happened and who might even be blamed by someone who mentions how the father<sup>22</sup> was wronged and the things he sees the son doing. **10.** And if you die before that man, you would die in sorrow without obtaining what you desire; but if he dies and you receive his teaching chair<sup>23</sup> you would eat your heart out with grief, desiring what you were prevented from having.<sup>24</sup>

**11.** ‘But your father is wronged by a man whom you regard as no good at teaching’ (one might say).<sup>25</sup> How many other fathers have been in the same condition, when teachers were furious, said they were insulted and proceeded to punish those who were at hand, since they couldn’t get hold of those who had departed?<sup>26</sup> When the fathers were dead, weren’t mothers dragged to the marketplace, though they were unaccustomed to this,<sup>27</sup> and given over to a sea of troubles and to the soldiers’ hands?<sup>28</sup> When they did not have either father or mother, they went after their servants and their land, strangling and suffocating those who cared for them and forcing them to inveigh against their masters who had gone elsewhere.<sup>29</sup> **12.** I saw myself some who ran away for rhetoric and did so without their parents’ knowledge; they did not benefit [their parents] by

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Themistius, *Epp.* 406 = R149 and 1198 = R153. Besides eating and drinking, those friends discussed poetry and rhetoric.

20 This is one of those pithy sayings that were dear to sophists and could be expanded into rhetorical compositions.

21 The text is corrupt: something is missing.

22 That is, Anaxentius’ father.

23 Reiske thought of this as an administrative post but Libanius often uses ἀρχή with the meaning ‘full teaching post’, ‘tenure’.

24 The young man would die without attaining the perfect rhetoric that only Libanius could give him. Even obtaining his teaching position would not compensate him.

25 This objection implies that the youth should return to defend his father, but Libanius replies that the situation is very common.

26 From the verb ἀπαίρω, to depart. Libanius thus presents the situation of vindictive teachers as quite widespread. Some of his letters show how offended he was when a student left, see, e.g., *Epp.* 43 = R161 (where he says that the father’s decision to send his sons to someone else ‘stung’ him) and 89 = R162. Of course he always says that he would never hurt a student.

27 Women still lived their life mostly in the privacy of their house.

28 Libanius is exaggerating in the heat of rhetoric. The presence of soldiers cannot be explained. It is possible, however, that this was a proverbial expression.

29 Their masters who had gone away to study.

their learning<sup>30</sup> nor deliver them by it from the sophists' evil deeds against them, and yet the students continued to learn and the parents to be subject to hostilities. Nothing brought back any of them before it was suitable.<sup>31</sup> Neither did their fathers recall them<sup>32</sup> nor did any of the youths wrong himself in this, but the former in the midst of their suffering allowed their own sons to pursue rhetoric and the [sons] did not commit the wrong of abandoning the studies in search of which they had come. **13.** Is your father suffering now? There is nothing new in this. Will you yourself remain here and carry on with your studies? This happens all the time. Show me boys who were pulled from the midst of their studies, and [who] then, when they went home, stayed with their fathers, providing help only through their dishonour.<sup>33</sup> In fact, what other help could they give? Rome has not beheld this,<sup>34</sup> nor the city of the autochthonous,<sup>35</sup> nor Berytus born to delight,<sup>36</sup> nor the city that Alexander son of Philip (or, if you wish, of Zeus)<sup>37</sup> founded.<sup>38</sup>

**14.** We know that this has not happened here on such a pretext<sup>39</sup> though

30 Picking up the previous thought (parents' lack of awareness), Festugière accepted the *lectio facilior* (the easier solution) of the MSS at 12.16, that is λαθεῖν (he did not help the parents through their ignorance) rather than Foerster's conjecture μαθεῖν (learning).

31 This is one of the vague expressions Libanius uses to indicate the whole duration of a course in rhetoric. While he is never precise in this regard, one has the impression that he envisaged a training lasting for many years, until one was able to impart the discipline to others (see Criboire 2007a: 176–79). Some students of Libanius studied with him for five years or even longer, while others left after two or three years to practise in the courts or to go to Berytus to study Roman law.

32 It is even possible that Libanius intends the strong meaning of the expression (κλήσεις καλέω) in classical orators, 'to summon them to court'.

33 The sense seems to be that the student who gave up his studies could not offer much help because he had lost his honour. The word 'dishonour' (ἀτιμία) applied to giving up rhetoric is quite strong: in classical Attic it means 'loss of citizen rights'.

34 The meaning is that no other 'university' city saw youths abandoning their studies.

35 The city of the autochthonous or native Greeks is Athens.

36 Berytus in Phoenicia was a lovely city on the Mediterranean. Usually Libanius is less complimentary because of the competition with the school of Roman law, which started there in the second/third centuries. Some of the sophist's students opted for a shortened training in rhetoric in order to study Roman law at Berytus and Latin in Rome (see e.g., *Or.* 40.5 and note).

37 See Plutarch, *Life of Alexander* 2–3 on the divine nature of Alexander. Dio Chrysostom, *Or.* 4.19–27 considered the tradition as doubtful. Libanius, likewise, in *Or.* 11.77 seems somewhat sceptical when he mentions Alexander as 'the reputed son of Zeus'.

38 The last two sentences represent huge exaggerations.

39 Nobody abandoned his studies in Antioch because of a sophist's threats to his father.



some [people] have done this because of their orphan state – or, rather, they used their orphan state to be lazy.<sup>40</sup> Those who had a real passion for education left their properties to guardians<sup>41</sup> and to the laws but continued to drink – at the springs of the Muses, that is. But even if your father is locked in conflict with an intolerable man, yet he is alive, has a voice, speaks; and if he hears nasty things, he can equally utter them. Perhaps if he were beaten he could do something similar to those boxers who, when struck, force those who strike them to desist by their capacity to endure. And if you are wealthy you could resist in this way; if instead your goods are scarce, you would not lose anything great in these confrontations.<sup>42</sup> **15.** Once my mother needed allies but nobody helped.<sup>43</sup> I was abroad and heard of the plight she was in. And yet neither was I recalled nor did I get up and go without being called back. Neither of us thought that this was appropriate.<sup>44</sup> All my property, however, was slipping away and my fields were in the hands of those who were selling them,<sup>45</sup> a vast estate cultivated by many. Nevertheless, I remained where I was, considering it to be an evil to abandon not only one's post in the battle, but also one's post in education (whether one was placed there by his father or of his own volition).<sup>46</sup> At the news, I bent to the ground in pain and there came no remedy for the pain,<sup>47</sup> though I searched for one, but I had the books

40 When parents died, youths found it more difficult to pursue their education because they needed to remain in their home towns to administer their patrimony and make sure that no injustice was committed against them. Grandfathers and uncles, however, could support orphans in achieving their education. No doubt, some had to give up these demanding studies and Libanius is always harsh when confronting this situation (see Criboire 2008b).

41 Libanius of course does not mention that guardians were sometimes dishonest and a young man might thus lose his possessions, as happened, for example, to Demosthenes.

42 The student who is not wealthy has nothing to lose in the confrontations with the sophist who could not even force him to undertake a liturgy.

43 Libanius is now turning to events in his own life, characteristically using his own vicissitudes as examples. Cf. *Or.* 1.26–27, where he says that after he had spent four years in Athens his father's estate was going to be sold. He disregarded the event and eventually went back to Antioch for different reasons.

44 The *Autobiography*, section 13 shows that Libanius' mother did everything to keep her son in Antioch but probably now that he was away she became resigned.

45 It seems that Libanius feels he belongs to the (wretched) group of those forced to sell their fields but he did not do anything to prevent that. He was interested only in rhetoric.

46 The *topos* of the dishonour of abandoning one's post is often present in Greek literature; see, e.g., the Spartan poet Tyrtaeus or Socrates in Plato, *Apology* 28 d–e 29a.

47 This part of the oration complements the *Autobiography* where Libanius does not manifest his anguish at losing his land.

themselves right there in my own hands: what it was possible to receive instead from them seemed to me nobler and more valuable than the fields I was losing.

16. But Demosthenes of Paeania,<sup>48</sup> in the midst of his guardians' unjust actions, thefts and robbery, did not lament, staying by his mother's side, but, though illness made him abstain from the sweat of rhetoric,<sup>49</sup> nevertheless he worked hard, and as a result, when he became a man, he would show Aphobus and the others that their lavish life was not exempt from danger.<sup>50</sup> 17. Orestes, when he was being brought up among the Phocians, nevertheless kept on postponing the moment of his return despite all the many things he heard about the outrageous deeds of Aegisthus in Mycenae who, after celebrating an evil marriage, didn't even give a respite to the daughters of the man who died at a banquet after Troy.<sup>51</sup> If he had hastened home sooner he would have shown that he wished to take vengeance but would not have been able to do more than that.<sup>52</sup> 18. Remember too the man who came to ransom Hector's body: Priam, who moved Achilles to pity by

48 An Attic deme.

49 That is, he could not perform publicly. Cf. Libanius, *Life of Demosthenes*, which he places before the *Hypotheseis* (arguments) of Demosthenes' orations. Both these works were intended for his students.

50 On Aphobus, see especially Demosthenes, *Or.* 27, 28 and 29. He was one of the guardians and trustees of Demosthenes' estate. Cf., e.g., Demosthenes, *Or.* 29.31, where he says that after the death of his father Aphobus appropriated the dowry of his mother and the orator's patrimony. The reference in Libanius is not very detailed and does not say that Demosthenes recouped his patrimony through his eloquence because this is not relevant to the situation of Anaxentius. Several letters, however, show that students were able to recoup their possessions and gain status with the help of rhetoric; cf. the dossier of letters of Dionysius 6 who had lost his father, e.g., *Epp.* 426 = R52 and 319 = R53. The expression 'arrive at manhood' means to leave childhood and become a man (see Demosthenes, *Funeral Oration* 17.3). Libanius, *Ep.* 61.8 used it for someone who skipped that stage and became at once an old man, and in *Or.* 41.6.6 for the men who acclaimed governors in the theatre: when they were children they were raised by parents, then they prostituted themselves, but when they became men they turned to the theatre as a resource. This first example is different from the following because it urges Anaxentius to become better at rhetoric (obviously with Libanius).

51 Aegisthus, Clytemnestra's lover, set up Agamemnon and his men at a banquet and killed them all. Libanius follows the version of Homer, *Odyssey* 4.515–37. Aeschylus in the *Agamemnon*, however, makes Clytemnestra kill her husband and Cassandra.

52 This example, like the previous one, shows that Anaxentius should wait to go back home until he is ready. If Orestes had returned to Mycenae when he was very young and heard of the injustice of Aegisthus, he would not have accomplished much and would have shown only vain anger.

reminding him of Peleus.<sup>53</sup> Making this the beginning of his speech, he said that [Peleus] too found his neighbours very hostile.<sup>54</sup> Hearing that, Achilles did not contradict this part of the speech, assuming that everyone knew that things were like that. And yet he did not for this reason quit the war and its troubles, launch his ships, and go to Phthia<sup>55</sup> to make Peleus' life more bearable; he hated those people<sup>56</sup> but did not abandon his comrades. **19.** I think that many other relatives of those who laid siege to Troy were in the same trouble as Peleus. Thucydides is an adequate witness of these evils when he says: 'The delayed withdrawal of the Greeks from Troy caused many changes', so that those who returned could not find peace.<sup>57</sup> And yet neither did any of the others think that it was preferable to take care of those at home, nor were the prize and the insult an excuse for Achilles to sail away.<sup>58</sup> And he was not even one of those who had sworn!<sup>59</sup> And so those men continued to fight in order that one could recover his wife, for Menelaus was the only one who had suffered an injustice and only one woman was seized, Helen. You, however, will not toil for someone else, but this is your own concern. As he regained his wife, you will also succeed in this.

**20.** I have shown I think above that it is impossible that there ever could be friendship between the sophist and yourself because of what has happened, yet let us suppose that your friendship will be excellent, great and such as to be compared to famous ones.<sup>60</sup> Do not take into account only this, but also think of the loss that will result. Do you think that it is not easily tolerable to be prevented from getting a treasure and yet deem that you will bear it easily if you are prevented from getting rhetoric?<sup>61</sup> **21.** But, in what way is Midas as great as Demosthenes? Who is Cinyras versus

53 Cf. *Or.* 40.3.4, where Odysseus reminds Achilles of his father.

54 *Iliad* 24.486–506.

55 The home of Achilles in Thessaly.

56 Those who harassed his father.

57 Thucydides 1.12.2, an exact quotation.

58 See *Or.* 63.22 for the use of the relative. The reference is to *Iliad* 1.185, 203.

59 Euripides, *Iphigenia in Aulis* 58, 78: the Greeks took an oath to defend Helen's marriage. Libanius, however, here argues that Achilles remained in spite of the fact that he did not take the oath. See also Libanius, *Progymn. Encomium of Thersites*, 3: Thersites was free from the oath that made the Greeks embark.

60 That is, for example, the friendship of Orestes and Pylades or Achilles and Patroclus.

61 Libanius insists again that this student needs to keep on learning and that his rhetoric is weak. Most teachers would deem the training sufficient but Libanius considered only a training lasting many years.

Isocrates? In what way is the Lydian [Croesus] as great as Lysias?<sup>62</sup> Who will place Egyptian Thebes next to Athens?<sup>63</sup> Who will consider equal the wealth of each, that is, money versus wisdom? The latter is in fact Athens' wealth. Come now. If someone had taken hold of you as you were coming here<sup>64</sup> and asked: 'For what reason are you making this trip and why are you neglecting what is at hand and are you seeking what is not there?' Wouldn't you measure both and try to show that there is more in the second? **22.** I would choose to sell everything for such a possession that makes those who have it more eminent than those who prove themselves not only in liturgies<sup>65</sup> but also in battles, wars and military commands. Which brave man,<sup>66</sup> which army commander is not inferior to the rhetor who speaks of war and peace in the assembly and advises when one or the other is better?<sup>67</sup>

**23.** Therefore, leaving aside the rest, I will look at the teacher of rhetoric. I omit the revenues that are tied to the seasonal diseases of the land,<sup>68</sup> but how great is it to rule over noble young men, see them improve in

62 This section seeks to show that wealth is nothing in comparison with rhetoric. Possibly this student's father had insisted that it was time for him to leave his studies and work by taking care of his wealth. Libanius often uses these mythological figures of immensely rich men: Croesus king of Lydia, Midas of Phrygia and Cinyras the legendary king of Cyprus, see e.g., *Or.* 25.23; 47.31, **52.29** and **63.6** (for the last two, see notes, *ad loc.*). Demosthenes, Isocrates and Lysias are the rhetors par excellence and they each have a different style (cf. Dionysius of Halicarnassus, *Demosthenes*). The comparison of the 'Lydian' Croesus versus Lysias provides a word play.

63 Pharaonic Thebes had majestic temples and rich tombs, but Athens in the eyes of Libanius was pre-eminent in culture. This is the only mention of Thebes in Egypt in Libanius, who often refers to Greek Thebes.

64 Libanius goes back to the time when Anaxentius left Gaza and came to Antioch to study with him. He is arguing that superiority of the studies offered induced the student to leave the city in the first place.

65 Civic service was burdensome to bear but often brought prestige.

66 Homer uses this noun with the meaning 'brave man or chief' but it appears in inscriptions as an honorary title.

67 Speaking of war and peace in the assembly was the traditional role of classical rhetors such as Demosthenes or Aeschines. Rhetors in late antiquity rarely had such an eminent task. Libanius proves, however, that, besides cultivating rhetoric for display, rhetors could speak in the council about social problems such as the state of prisons, or could denounce the conduct of some governors. Many of his orations concern real problems in society.

68 This is an interesting remark. It seems that in bad seasons people paid a smaller tuition fee or at least did not give the usual gifts to the sophist, who had to be content anyway. On the question of the revenues of a sophist, see below the note at section 27.

rhetoric, and progress through the avenues of life? And what about the honours deriving from them, from their fathers, their fellow citizens and foreigners? They<sup>69</sup> are respected by officials – the minor ones and those more eminent – even if you mean those in imperial power. **24.** I consider worthy of respect those who are called and are *real* sophists, and for the love of this you yourself as well have come to us. In fact, one who is a donkey covered in a lion skin<sup>70</sup> and who lives in scorn and ridicule is more miserable than if he had resolved to be silent and make a livelihood carrying stones for builders or by similar hard labour. Even if one pitied the latter he would never excuse the former; and Phaethon likewise, for whom it would have been better not to have persuaded his father, and received a favour which ended up with the charioteer fallen and lying dead.<sup>71</sup> **25.** But I am returning to the point,<sup>72</sup> that there is nothing more splendid than a sophist who in the theatre deploys and shapes fitting arguments when even the very people in power realize that he is more fortunate than them because they rule over the bodies of others, while the sophist rules over

69 That is, sophists.

70 Cf. Aesop, fable 199 and the short reworking by the rhetor Aphthonius, *Fable* 10bis. A donkey who put on a lion skin could not fool a fox that heard his ‘roar’. Cf. also the fable at Babrius 2 139. Lucian briefly mentions Aesop and this fable in *Fugitives*, 13.17 and 33.18. *Fisherman* 32 mentions a variation of the story. The lion skin often appears in literature in connection with Heracles. Lucian, *Against the Ignorant* 23 says that a simple lion skin does not make one a Heracles. Here the lion is the strong animal, the real sophist, the strong candidate (cf. Callicles in Plato, *Gorgias* 483e–484a). See also a letter of Libanius regarding one of his favourite students, Hyperechius, who was never able to find a suitable position after school. In coaching him for an interview with a powerful official, Libanius reminded him that the man was ‘very good at telling a lion from its claw’, that is, at recognizing a strong candidate. For weak, tamed lions that fear the threats of their keepers, see *Or.* 41.17. The donkey covered with the lion skin is the false sophist who did not have a great training and would be better off remaining silent. On silence as being the most awful condition for a sophist, see Criboire 2007a: 230–31 and *passim* and Quiroga Puertas 2013b.

71 Phaethon was the son of Helios, the sun god, who obtained from his father permission to drive the solar chariot for a day. Since he could not drive the immortal horses and was in danger of setting the earth on fire, Zeus killed him with a thunderbolt. Here he is an example of someone who was inadequate at what he wished to do but did not recognize it, and his permissive father is also a negative example. He implicitly caused his son’s death; Anaxentius’ father would similarly cause his son’s ruin. Libanius mentions Phaethon as a bad youth elsewhere and as being burned in *Or.* 17.28, while in 18.181 he says that the emperor Julian never wanted children because he was afraid that they might be bad, imitating Phaethon.

72 The same expression appears in Demosthenes, *On the Crown* 163.1–2. Libanius knows Demosthenes and his style intimately but rarely lifts identical phrases from him.

the soul. 26. Therefore, you might hear a father<sup>73</sup> say that in return for his son acquiring this good he would gladly spend all his present possessions, and even anything else he might have from anywhere.<sup>74</sup> The future return is much nobler and is able to bring in something equal to what was spent, possibly even more. And a father would gladly die for such a thing when the benefits from rhetoric are added to a just nature.<sup>75</sup>

27. And so consider for what great things you will put down such a fee:<sup>76</sup> for a vain favour<sup>77</sup> you give up on immortal fame! Even if this should bring your father the temporary loss of his home, wouldn't he seem more sensible in settling among other people during this time rather than begrudging you this great power? 'But this is hard labour for him', you might say.<sup>78</sup> Don't all good pursuits involve this?<sup>79</sup> This gives a crown to the athlete and the

73 The motif of the father, which runs through the oration, returns.

74 Perhaps honours and a good renown that would come from his wealth.

75 Rhetoric brings out and strengthens *physis*, the natural endowments that a youth receives from his parents. In the absence of a good *physis*, rhetoric cannot accomplish much. In a letter to a father written in 355/56 (*Ep.* 465 = R60), Libanius congratulates a father whose son was able to overcome his deficiencies through hard work at rhetoric and the assistance of his pedagogue. In another, dating to 364 (1164 = R47), he informs another father that one of his sons is good but the other 'should not have been born' and should give up rhetoric because of his lack of natural endowments. For a discussion of *physis* in Libanius, see Criboire 2007a: 129–34.

76 *μισθός* ('fee') is the money spent on the study of rhetoric. We do not know how much this amounted to. Most of the time it consisted of revenues in kind (cf. above, section 23). In theory, *μισθός* is the tuition fee, and this is always the meaning of this word in the orations, but Libanius' letters show the multiplicity of meanings the word encompasses, not only the fee but compensations of various kinds. The tuition fee was supposed to be paid on the occasion of New Year. Libanius' policy is ambiguous and is vaguely reminiscent of that of the fifth-century BCE sophist Protagoras, who, accused of charging excessively, asked students to pay the amount worthy of his teaching (cf. Plato, *Protagoras* 328b–c). But Libanius became resentful when people took advantage of that policy. The philosopher Themistius was proud of not enforcing a tuition fee, saying that he was wealthy enough and was inspired by the model of Socrates (*Or.* 23.249c–d). He also added, however, that not charging students was not especially noble, because other teachers may have needed the income. Libanius appears to have been reasonably wealthy (see, on his income, Petit 1955: 407–11). On the whole question of the cost of education, cf. Criboire 2007a: 183–91.

77 The meaning is that the favour the young man does to his father (and to the Gaza sophist) is useless and unnecessary.

78 Libanius responds to questions such as the great price Anaxentius' father will pay. He will have to confront the threat of losing his home. Note, however, that this is a counterfactual condition: this event may happen only in a sophistic argument.

79 A sort of panegyric of hard labour and its rewards follows.

soldier and also allows the captain to rescue his ship, the doctor to save someone afflicted by a disease and the farmer to preserve the produce of the earth. They say that the gods too ask men to pay this price for good things: toil in lieu of silver and gold.<sup>80</sup> **28.** After entrusting his sons to me, a foreigner did not return home; he entered the class and sat down, and the pedagogue of his children was nowhere in sight.<sup>81</sup> When I asked him: ‘Where is the pedagogue and who is he?’ I added – ‘You will not grant this freedom to your sons!’<sup>82</sup> He responded that *he* was the pedagogue of his children. And this he did and not for a few years. While he was doing this, he doubtless neglected affairs at home so that the more despicable of his servants had licence to act dishonestly. And whenever someone would say this to him, he used to say that they talked to one who knew, but that he considered the loss in his affairs as really nothing in comparison with what he gained. **29.** You too should consider that your father is present and is devoting himself to your care ; a father who is concerned for a son who is being educated wishes – I believe – to fulfil even the functions of a servant, but the damage to his affairs, were he to be absent, would be no less than in the present situation.<sup>83</sup> I also believe that some of the gods will be at his side and will assist him, in particular those of eloquence who would compensate you for your zeal in the studies they have bestowed.<sup>84</sup> **30.** I believe that there will also be people who will not only condemn

80 Epicharmus fr. 287 Kaibel, as reported by Xenophon, *Memorabilia* 2.1.20, who wrote, ‘The gods sell us all good things at the price of hard work’.

81 It is not possible to recognize this father from Libanius’ letters. One wonders if he really existed or if he simply played the role of the ideal father who could sacrifice everything for his children’s rhetoric. His example is certainly useful in this speech. Pedagogues were important for students’ success because they supervised them, made them do their work, and took care of them when they were sick. The letters often show how they were able to change young men, teaching them to love the work. On pedagogues, see Criboire 2001: 47–50 and 119–20.

82 Without a pedagogue the boys would have more freedom; they would be freer to misbehave, not to do their homework and to get into mischief.

83 Reiske suspected a lacuna because he considered the meaning unclear. The general sense of this sentence seems to be that if Anaxentius’ father was acting as his pedagogue (like the man in the example), then the problems at home would be similar to the actual situation which has caused the father to recall the youth.

84 He certainly refers to Hermes the god of rhetoric but probably also to Apollo and the Muses. In Libanius Hermes is frozen in his traditional qualities of protector of rhetoric. He never mentions the Hellenistic Hermes Logios, the ‘learned Hermes’ who often appears in Julian. He also never refers to Hermes Trismegistus who was very popular around the Mediterranean (cf. Fowden 1986: 201–02).

these deeds but will also impede them, saying that it is not in this way that that sophist should guard his teaching chair, but rather by showing that students will not find other, better, sources of learning. It is necessary to retain students by winning in rhetoric<sup>85</sup> and not by fear of the terrible things that would befall their fathers if they did not stay. The urgent situation at hand might be resolved if a more just governor should succeed the man who favours these things.<sup>86</sup> Perhaps I would even be his friend.<sup>87</sup>

31. Neither you nor your father should give up, and you should not wish to be inferior to a better man;<sup>88</sup> don't do things now, on the presumption that they are good, that you will censure later, and don't regret the past rather than taking advantage of the present. Don't tell your friends what you could have been if you had not made this mistake but congratulate yourself on your actual strength. 32. Odysseus says that it is 'shameful to remain all too long and return empty-handed'<sup>89</sup> and for you it is not good to appear to the citizens of Gaza<sup>90</sup> before spending all the necessary time with us. They will not be glad to see you after you come back in such a fashion, nor will they greet you as if you had complete knowledge,<sup>91</sup> nor will they

85 A sophist must prove his ability not only in teaching but also in oratorical displays and contests. This may be another reason to assign an early date to this speech. In his early years before becoming the official sophist of Antioch, Libanius had to prove himself numerous times, as his *Autobiography* shows.

86 The governor in Gaza favoured that sophist and allowed his bad behaviour. A new governor might be more just.

87 Some governors did in fact have friendly relationships with Libanius – for example, Strategius Musonianus, who tried to invite him back to Athens. Libanius was very flattered but did not accept. In later years their friendship degenerated, though Libanius did not disclose that in the narrative of his life but in his letters (cf. *Or.* 1.81–82; 106–13 and *Epp.* 476 = N16; 515 = N21; 506 = B54; and 529 = B28; see Bradbury 2004: 85).

88 Anaxentius has to aim high; he should be the best rhetor possible.

89 *Iliad* 2.298. In the second book of the *Iliad* the Greeks try to decide if they should go home after Achilles resolved not to fight any more. Odysseus did not agree on the ground that they were going home without Helen. As the papyri show, the ancients especially liked the first two books of the *Iliad* although modern readers do not care much for the long catalogue of ships in book 2. In the class of the grammarian, students read the first two books and then proceeded more slowly.

90 The rhetor Choricus of Gaza, who wrote many declamations in the fifth century, used this word (Γαζῶται) of the inhabitants of his city (cf. 2.2.75.7).

91 'The whole' (τὸ πᾶν) of rhetoric. The oration again mentions the length of rhetorical studies but in an imprecise way. Libanius' ideal was for his students to continue the training until they had 'the whole'. It is difficult to know exactly what he meant by this. He certainly envisaged an inordinate number of years. In section 33 it appears that a student was ready when he was able to teach rhetoric to others but of course this is also a subjective measure.



plan colloquia<sup>92</sup> where you can be tested,<sup>93</sup> but they will find fault with your return just because of the length of your absence. They will not ask you to render an account and by the fact that they do not ask for an account they will censure the whole thing. **33.** But if you remain for the necessary time and continue to partake of the art so that you learn it all and are able to teach it, you will foster good hopes in you, and will cause disappointment by delaying but joy when you appear. Both you and your father will be praised, your father because he didn't force you to be present before it was advantageous and you because you tolerated both your concern about him and the labours of rhetoric. To the present aggravations and your father's tears, compare – I certainly don't have any doubt – the day full of good wishes that will lead you away from us and the day that will bring you to the city of Io, the beautiful woman whom Zeus under constraint made into a heifer.<sup>94</sup> **34.** There are many proofs<sup>95</sup> of this discourse, which I have recounted in few words and incompletely and that you will tell in its entirety in your encomium of the city.<sup>96</sup> It is clear in fact that you will begin your rhetorical feats there, by celebrating an ancient city that is prominent

92 This word (συλλόγους) usually refers to learned people assembling together to hear orations of Libanius. Before sending around some of his speeches, he tested them on a group of friends and acquaintances. Cf. *Or.* 1. 254 where he said that delivering speeches to a smaller group allowed him more freedom. See also *Ep.* 283 = N64 where he claimed that he delivered one-third of the speech in honour of his uncle Phasganius to a small group because it contained an invective against the emperor Gallus.

93 The final test of a student's rhetorical skills, which was quite widespread, is called by this word, δοκιμασία (*dokimasia*), only here. It consisted of an oration that a student who was going home after many years of study had to deliver to his fellow citizens to show that his absence had been worthwhile. It was supposed to be a dazzling performance that students feared but also looked forward to. See, e.g., *Epp.* 224 = R108 and 1130 = R121. On the *dokimasia* of Libanius himself that he gave in Antioch in 353, see *Or.* 1.86–89. Gregory of Nazianzus too had to go through this test on his return from Athens but disparagingly called it 'a dance', *Carmen* II.1 11.265–76. See Cribiore 2007a: 84–88.

94 The myth concerns one of the loves of Zeus. He seduced Io who was transformed into a white cow after Hera discovered her. Libanius here adopts the version that Zeus transformed her. The goddess inflicted on her a gadfly that sent her wondering everywhere. Stephen of Byzantium in his list of geographical names says that Gaza was called 'the city of Io' because Io settled there, *Ethnica* Bk 3 lemma 14.4.

95 The word πίστις is often employed for 'proofs' used by orators.

96 The δοκιμασία ('test'; cf. n. 93) in fact consisted of an encomium of the home city. When a young man went abroad to study, the whole city congratulated him and wished him success. *Or.* 49.27–28 shows all the notables of Antioch going to the harbour to wish good luck to the young men embarking for Rome and Berytus. The city was actively involved in its citizens' education. On coming back, students had to thank their city.

in the Roman empire and wishes to be a workshop of rhetoric.<sup>97</sup> Your father will sit sharing the praises of the theatre that is crowning him too. Then he will consider pleasant and most pleasing what is now bitter and harsh and then he will praise himself for enduring everything nobly. **35.** I think this also happened in the case of Odysseus when he was already in Ithaca and had his kingdom for himself again, together with his son and wife.<sup>98</sup> He was glad to have suffered what he had suffered during his journey by sea, and each of those fearful adventures brought him joy – even the Cyclops himself, his cave, the door and its boulder.<sup>99</sup> **36.** How will you feel when a decree and a common decision will offer you the chair?<sup>100</sup> And what about when you will welcome in a large school the students who will transfer there<sup>101</sup> and when you will be challenged to a contest, perform, triumph and be proclaimed victor?<sup>102</sup> That man, either cowering in fear and falling down will lose his pride and will honour the stronger man so as not to lose his title as well,<sup>103</sup> giving thanks to the gods; or otherwise, if he wants to challenge you, he will consider Hesiod to be a good advisor, who doesn't permit measuring oneself against a stronger opponent.<sup>104</sup> **37.** These and similar things your father should especially consider. And then, leaving his life, he would pass away amidst many blessings, but even if he should

97 Libanius often uses this expression, e.g., *Ep.* 846.2.2, but applies it most of the time to Antioch and his school in particular (cf. the end of the first part of his *Autobiography*, *Or.* 1 155.9).

98 I follow Foerster's text. Some scholars have proposed different emendations because in Libanius the expression εἰς ἑαυτὸν usually requires a different verb, but no good solution is at hand.

99 The term ἐοπτή (in the phrase 'brought him joy') could also be translated 'feast' in the sense that Odysseus was able to dine and recount his adventures at a meal. The story of Odysseus and the Cyclops is told in *Odyssey* 9 and at 9.240 and 305 Homer mentions the mighty stone that blocked the cave where Odysseus and his companions were hiding. After blinding Polyphemus and hiding beneath a ram and some sheep, they were able to escape. In *Odyssey* 23.300–13, once in Ithaca, Odysseus and his wife tell each other their miseries and he talks to her about the Cyclops.

100 This phrase indicates how an official sophistic appointment was made.

101 The size of the school of Libanius approached eighty students in his first period in Antioch when he apparently received many students from abroad (cf. Petit 1956: 66–71 and Criboire 2007a: 95–97).

102 A proliferation of rhetorical questions as often happens in the epilogue.

103 By honouring Anaxentius, the sophist will not have to challenge him and give up his position.

104 Hesiod, *Works and Days* 202–12, the fable of the nightingale seized by the hawk; it says that it is foolish to confront those who are stronger, losing and in addition suffering pain.

die sooner,<sup>105</sup> he will not want for those who will announce things to him. Those who constantly<sup>106</sup> descend to the underworld fulfil with the dead the same role as the living do among the living.<sup>107</sup> **38.** And so, Anaxentius, whenever you hear those who give you advice contrary to what I have told you, consider them your enemies and your father's, and, remembering what I expounded, refute that harmful counsel.<sup>108</sup>

105 Even if he should not be able to see his son's triumphs, he would know of them anyway.

106 Those who keep on descending; people continue to die.

107 That is, the community of the dead is active, with people conversing and revealing things as they happen on the earth. On the strong connection between the dead and the living and on the fact that those who die later bring the dead tidings of what has happened in their absence, cf. *Or.* **63.41** and note.

108 In this series of epilogues, the final one at section 38 returns to the proem by mentioning those who thought Anaxentius should respond to his father's call.

**ORATION 53 (380–384),  
ON THE INVITATIONS TO BANQUETS**

This late speech argues against young boys' participation in the banquets that were held in Daphne on the occasion of the Olympic games dedicated to Zeus. When in 332 the councillor Argyrius increased the number of stone seats in the theatre, many more people were able to take part in the festivities.<sup>1</sup> In the 380s, moreover, when this speech was written, the governor Proclus was taking measures further to increase the number of spectators (see below).<sup>2</sup> In this oration, Libanius considers several sides of the question, such as practical organization, the morality of the young participants, and the religious significance of the occasion. The celebration was still provided from the same resources as in the past and those in charge of doing this (the ἀγωνοθέται) found it difficult to undertake this liturgy (a compulsory public service that entailed heavy expenses) as it was too burdensome (sections 9–10). It seems that the festivity had become a family affair so that fathers took all their male children with them, even the young ones, and Libanius says paradoxically that they would take their daughters too, if they were allowed to do so (sections 6 and 9). The banquets were an occasion for promiscuity because boys reclined on couches next to men who might corrupt them with words, promises and openly sexual advances. The sophist insisted that the morality of the youth was at risk, and so they should be barred from the banquets.

There was, moreover, a religious aspect of the question that mattered a great deal. In *Or.* 11.268–69, the encomium of Antioch that he had delivered many years before, in 356, Libanius had praised the games celebrating Zeus, which brought pagans together. In later years, however, the banquets had lost much of their religious character and had become a communal family festivity, 'a bank-holiday entertainment', as A.F. Norman (1954: 45) called it. In the hope of increasing participation in the games, their organizers had

1 Cf. n. 22, below.

2 Proclus 6, *Comes Orientis* in 383 and 384. Many letters of Libanius refer to the Olympic games (e.g., 843, 1179, and 1183).

accentuated the profane characteristics of the festivities, which involved socializing, merriment, drinking and eating. As Libanius says in section 16, in times past, ‘the god was honoured through order and temperance rather than through unbridled expenses and boys drinking with adults’. Besides this speech, Libanius composed another oration to emphasize and promote the religious aspect of the whole festival, *Or. 10 (On the Plethrion)*.<sup>3</sup> The Plethrion was a building that was used for specific games such as wrestling and boxing that were held in Daphne in the afternoons. In this case too, Libanius lamented that the governor Proclus had enlarged the building so that more people could view the games. In previous times, when seating was limited, young men of school age, slaves, artisans, those who did not have an occupation, and those who ‘took excessive care of their hair’ were barred from the Plethrion.<sup>4</sup> With Proclus’ initiative, however, as with the increased admission to the banquets, the religious spirit of the occasion was compromised.

As often happens, in speech *Or. 53*, Libanius recalls events of his childhood and evokes members of his family. In particular, he mentions his close relationship with his two maternal uncles, Panolbius and Phasganius, whom he cherished and who were important in his upbringing after his father died. He was brought up by his mother and had a brother. All this enlivens the narrative even though these reminiscences make it less linear. At the end, Libanius also makes a rare reference to his son, Cimon, also known as Arrhabius, born of a woman of lower status, but whom the sophist cherished and tried to bring up with a proper, upper-class education.<sup>5</sup> He praised his son’s eloquence occasionally – for instance, when he said in a letter that Cimon was as good an athlete as a rhetor (*Ep.* 843 = N147). Libanius tried repeatedly but unsuccessfully to free his son from curial duty. Cimon died in 391 without fulfilling his (and his father’s) dream of obtaining an official post. The end of the oration connects Cimon and Libanius’ students and exhibits the theme of father–teacher and teacher–father that underlies much of Libanius’ work connected with education (cf. Criatore 2007a: 138–41).

In this speech, Libanius is not only an educator but also a father who protects young boys’ virtue. Section 3, in fact, reveals that he resented the

3 Martin (1988: 215) considered that *Or. 10* and *53* were ‘twins’ and regretted not being able to edit them together. In his commentary on this speech, he suggested (220) that celebrations in Daphne had more of a religious character than those in Antioch.

4 *Or. 10.5*; the last reference is to people who are in some way involved with the theatre.

5 On Cimon, see Criatore 2007a:15–16 and *passim*.

new custom of taking young boys to banquets because either his students or potential students (and sons) might be corrupted by the immorality that the banquets fostered. Much of the polemic is directed against the lack of care of the fathers of these youths, who wanted to please their children and themselves and neglected to take into account the possible consequences of the promiscuity that the banquets fostered. In letter 1428.2 dating to 363, long before this oration, the sophist mentions fathers who could not attend the banquet because of other commitments, but sent their children in the company 'of those who dined and drank'. Even though the tone is implicitly negative, the point of the letter is that these fathers believed that their children could represent them adequately.

In this oration the satirical elements are very pronounced. Unlike pure invective, which in theory serves only personal goals, satire denounces customs and people because of the damage they inflict on society and provides a justification of the norm. In many orations Libanius uses invective to target particular individuals with a measure of vengefulness and even with self-serving purpose, but in using satire the sophist expresses his bitterness concerning the present and manifests some hope of improvement in the future. The lurid elements that he includes in describing the sexual intentions of men who try to entice young boys are not gratuitous and do not betray the attitude of a voyeur. These details serve the author's aim of bringing back the old innocence to the festivities and showing fathers the dangers of such casual liaisons.

From the notes, moreover, it will become evident that both Reiske and Festugière have exaggerated in interpreting some expressions and seeing salacious details where there was none.<sup>6</sup> And yet, as reported by Libanius, the facts relating to these sexual encounters of boys with men are far from clear. At times, for example, in section 8, it seems that only some touching and sexual promises are involved. The boy is presented as an innocent and passive victim, the sexual food that the man craves and that he tries to grasp. It appears improbable that copulation went on at the banquets, before the eyes of everyone, and of fathers especially, as Libanius seems to concede in the following phrase. Banquets, however, would be ideal occasions for men to become acquainted with boys, because there were very few occasions when they could meet and talk freely. The banquets would just be the preliminaries of a more intimate (and more

6 Festugière 1959 does not translate section 37, which explains Libanius' main reason for condemning the custom.

problematic) acquaintance. In a later part of the oration (26), the scenario expands to include other occasions: in winter, when different kinds of banquets occurred (for example, at weddings), the participants were wrapped in heavy blankets and sexual contacts might take place secretly. At this point, Libanius is definitely referring to intercourse, making a distinction between lawful weddings and another type of 'wedding'. In section 29, he becomes even more explicit and speaks of the consequences of those illicit unions: not only do boys lose their innocence and honour but they acquire sexual diseases that they are ashamed to discuss with a doctor. Libanius thus condemns the participation of boys in the Olympic banquet as a preliminary to immoral acts that are likely to be perpetrated subsequently.

The alarm bell that the sophist is ringing becomes more urgent towards the end when he also takes into account the impact of those sexual encounters on young men's reputations. In section 27, the sophist argues that the issue at hand (participation in the banquets) will ultimately harm the city. The young man who had been exposed to immoral acts will lose his freedom of speech and the power to condemn publicly what he does not approve. He will be muzzled and will be a useless member of society because he will be subject to people's criticism. Libanius was ever at pains to show Antioch that the education he imparted to students would enable them to be eloquent and to argue the issues important to the city: it appears that he was disappointed in this. In a more or less contemporary oration, 62, *Against Critics of his Educational System*, he defended his teaching from critics who found it inadequate and praised disciplines like stenography, Roman law and the study of Latin. In sections 37–39, he considered how important it was for his former students to display their eloquence and argue in the council. In the later **Or. 35**, *To Those who are not Speaking*, Libanius addressed the young and silent members of the Council who abstained from speaking because they had abandoned rhetoric, did not touch their books any more and listened passively to other people without intervening. Those silent young men failed to bring honour to him and to the city with their behaviour.

Libanius composed and delivered this oration late in life, after 380 and before 384, as Martin surmised.<sup>7</sup> It is not possible to be more precise. He says in section 13 that the treacherous changes in the banquets started when he was away from Antioch and were in place when he returned in

<sup>7</sup> Martin 1988: 215.

354. He decided in the following years not to denounce these and other new customs and waited until much later when his old age could strengthen the authority of his arguments (section 15). **Or. 38**, *Against Silvanus* (composed in 388), contains some material that is relevant to **Or. 53**. In section 16 of **Or. 53** there is an allusion to presents given in the past to participants in the banquet, a custom that was eliminated. In addition, Libanius in 38.5 mentions a speech he pronounced before a large audience ('I urged many people' to eliminate the custom of presents). It seems that **Or. 53** was that speech.

Foerster designated this oration as a *scriptiuncula*, that is, a shorter version of a *scriptio* (a written speech). Though he did not explicitly clarify his use of these terms, it seems that he regarded a *scriptio* as a speech that had a looser structure than an oration (*oratio*). He called **Or. 55**, 56, and **63** *scriptiones*, while **37** and **53** were *scriptiunculæ*. In **Or. 53**, in fact, there are some repetitions and arguments that are developed in more than one place (e.g., the excessive expenses for the organizers of the banquet in 9–10 and 16). The narrative part, moreover, is rather loose. Rhetorical density is low; that is, rhetorical figures and embellishments are infrequent since the content is mainly factual. Libanius did not conceive of this merely as an epideictic speech intended to impress a literate public, but wanted to sound an urgent alarm. And, as mentioned above, the audience was large.

Available editions are those of Foerster and of Reiske. Festugière (1959: 202–06) translated into French sections 16; 1–12; 17–18; 25–26; and 29. Martin (1988: 212–14) translated into French sections 2 and part of 15. Only a few medieval manuscripts preserve this speech: its subject and some explicit details may have impeded wider circulation.

## SYNOPSIS

1–2 Proem: traditions should be maintained especially when they concern the participants in the banquet after the Olympic games.

3– 11 Narration. In the past boys of school age were not admitted to the banquet, as personal experience confirms. Now all boys are invited with awful consequences, and the burden on the organizers is heavy.

12–16 Objection: this custom is now widespread.

17–19 Objection: this is an honour for fathers.

20–21 Implied objection: fathers will be distressed.



22–24 Objection: young men will be distressed.

25–27 Amplification. Young men should not participate in any kind of banquets; their uprightness is necessary for their future life.

28 Objection: they will hate the organizer.

29–30 Amplification and epilogue. Fathers are to be blamed; I behaved otherwise with my son.

1. I think that our city has deteriorated for many different reasons since ancient traditions have been driven out by certain new practices, particularly those that concern the banquets that honour Zeus. For a long time I have been complaining about this to the friends who are always with me,<sup>8</sup> but now I cannot bear not to make my complaints into a speech too.<sup>9</sup> I wonder, however, if I will persuade you with my words; but the gain for the man who speaks out about what is right is the act itself of speaking about it, even though persuasion will be absent. The fact that an audience does not turn to action is not an indictment of a bad speech.<sup>10</sup>

2. Among the things in which we take pride, the Olympic Games are those that have obtained the most support, both everywhere else and here, so that even the Eleans themselves want to know what happens here and ask about it.<sup>11</sup> And yet someone, though rejoicing with us at this, might also be vexed that many traditions have been altered. I am distressed about all these things,<sup>12</sup> but since I see that it is not easy to speak about all at the same time, and to accuse both those who enjoy these changes and those who are

8 These are his intimate friends, not many judging from the fact that several had died earlier. One of them was Aristænētus who died in the earthquake of Nicomedia (cf. *Or.* 61).

9 See sections 13 and 15 on his past toleration of this issue and decision to confront it in a speech. In *Or.* 10.3, Libanius mentions his silence and the fact that he prefers not to advise Proclus on matters where he disagrees. On the motif of silence, see *Or.* 38.1 and note. Cf. also *Or.* 41.5 on the fact that in the past he tolerated the custom of the acclamations for governors.

10 This is a rather bold statement of disregard for the audience's reaction. It is probably due to the fact that Libanius is pessimistic that he will be able to convince his audience to change a custom that was well established.

11 The Eleans, who inhabited the city of Elis in the Peloponnese, were the organizers of the original Olympic games that started in 776 BCE. In the early *Or.* 11.269, which is pervaded by optimism, Libanius maintains that the people of Antioch celebrated the games in a more glorious way than the Eleans.

12 Cf. *Or.* 2, in which people continued to accuse him of complaining constantly that things in the past were better than they were at the present time. This is the typical Libanius of his late years who always praised the past over the present (*laudator temporis acti*).

not angry about them,<sup>13</sup> I will be satisfied if I show what is wrong<sup>14</sup> with regard to the participants in the banquet.

3. Who were they? Which people did the president of the games invite? Older men, men who were in their prime, and the young man who was out of adolescence or was going to be, because he was a father already and had appeared in court.<sup>15</sup> But the boy who was still learning rhetoric in school and had just begun to show only down (on his chin) or not even that<sup>16</sup> stayed away from the feast and heard about it by hearsay even though he might be related to the man who undertook that liturgy.<sup>17</sup>

4. If it were possible, the father of my grandfather would have testified to this and my grandfather<sup>18</sup> could have done the same and also many people before them who performed that function, and many who came after them, whose names one might see inscribed in writing<sup>19</sup> and in the memory of not a few people. And I should be rightly trusted for I was one of those who were not invited. Yet I was 14 years old when Panolbius was in charge of the Olympic games, and he was my mother's brother.<sup>20</sup> I was 18 when

13 That is, the people did not voice their opinion and passively tolerated the changes.

14 Literally 'out of tune, discordant'. Martin 1988: 212 translates 'the mistakes committed in choosing the participants'.

15 The people invited to the banquet were all adults or youths verging on adulthood. At that time people married rather early, so that some of the students of Libanius were married and had children (see, e.g., *Epp.* 371 = R188; 1102 = R122; and 1511 = R138). It seems that appearing in court was a sign of maturity and an indication that one was an independent member of society. We do not know at which age it was legitimate to appear in court (probably as a juror). As the sophist says, however, most of his students were young adolescents.

16 The age of entrance to a school of rhetoric was not fixed but one can assume that 14 or 15 was a suitable age. In *Or.* 34.3, Libanius mentions a 15-year-old who was already quite advanced and delivered a public declamation but he calls him 'exceptional'.

17 This means that there were apparently no exceptions, as the following section will show. Even a relative of the ἀγωνοθέτης, who organized the games as a liturgy (civil service), was barred from the banquet when he was not old enough.

18 Libanius speaks of these members of his family in *Or.* 1.3. He says that the father of his grandfather knew Latin well and had the power of divination by which he predicted that his sons were going to be killed, which happened in 303 after the revolt of Eugenius (cf., e.g., *Or.* 11.157). Diocletian punished the decurions of Antioch and the property of the family of Libanius was confiscated.

19 A list of those who organized and helped pay for the games was kept in a public space, but we are not otherwise informed about it.

20 Libanius was born in 314 and lost his father when he was 11 years old. His uncles were fundamental in his upbringing because his mother never remarried. Panolbius was older than Phasganius, his other uncle, and died first. He took the side of Libanius' mother in not

Argyrius did the same; he was a friend of my father who hastened to protect our orphan state.<sup>21</sup> But even though he was glad to exert himself and to help, he did not grant this favour, which was not customary. Four years later, when I was 22, Phasganius received this charge; he was my uncle like Panolbius. He invited<sup>22</sup> me to the banquet and I went; I already enjoyed a good reputation, particularly for my temperance.<sup>23</sup>

5. Certainly it is not possible to say that I suffered this<sup>24</sup> because I was neglected and did not have a father. I did not (have one) when I was invited and neither did my older brother.<sup>25</sup> No child of anyone (was admitted) nor was there anything – family, wealth, a very close friendship, or anything else – that could make the invitation come before it was appropriate. 6. Now, however, when men who have children are invited, their children are too, and generally all of them, even if one is ten years old or younger,

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letting him go to study in Athens. But Phasganius gave Libanius permission to do so on his death (cf. *Or.* 1.13. Panolbius organized the Games in 328, Argyrius (see below) in 332 and Phasganius in 336).

21 The family of Argyrius bore curial duties for three generations. Libanius' grandfather made Argyrius enter into the city council even though he was not very wealthy. Argyrius was a good rhetor and was a friend of Libanius' father. His grandson was the sophist's student, who had to give up rhetoric because of two liturgies, taking care of the baths and horses for the races (see *Ep.* 381 and Norman 1954). In *Or.* 10.9, Libanius praised Argyrius but said that an apparent favour he did the city had a negative effect: he doubled the number of stone seats in the theatre so that many more people attended. Orphan children needed someone to protect their assets and rights. Cf. what the sophist hints at in the next section, that orphans were overlooked. See Cribiore 2008b on the evidence for orphans in Libanius.

22 The present indicative conveys the immediacy of the invitation.

23 In *Or.* 1.12 Libanius insists on the picture of his many virtues when he was a young orphan. He is building his own portrait as 'a holy man' (cf. Cribiore 2013: 49–74). His incessant work, temperate personality and self-discipline, which was not inculcated by a pedagogue, made him a very eligible bachelor. Many fathers offered their daughters to his uncles for him but he always refused because he wished to go to Athens. Libanius often alludes to his personal experiences in his discourses. He says in *Or.* 2.10–13 that people considered him overbearing because he so often mentioned the greatness of his family and his own probity and goodness.

24 That is, it is impossible that the reason for not being invited before was that he was neglected because he was an orphan. No young children were ever invited. This phrase implies that orphans were in an inferior position in society.

25 Foerster suspected a lacuna, which however seems unnecessary. Libanius was the middle of three brothers. He never spoke about his older brother except for saying that by 281 he was dead. He was closer to his young brother who followed his successes and sometimes followed him when he went abroad. This brother lived with him and his illness and death were a huge blow for the sophist (*Or.* 1.197–204).

and when the father has died, the uncle is told to take his nephew.<sup>26</sup> The pedagogue, the attendant and the servant are outside the door,<sup>27</sup> but the child is caught up with men who are drinking, is taught or persuaded to drink<sup>28</sup> or a man even forces the cup to his lips.<sup>29</sup> The thing goes on, filling both with wine and it is evident what it is leading to.<sup>30</sup>

7. If the boy reclines in silence, how burdensome we must think his presence would be!<sup>31</sup> But should he wish to be among the speakers himself, he would, to be sure, need shamelessness for this. Since silence and blushing upon meeting his elders are becoming in a boy,<sup>32</sup> what kind of a person is he likely to be when in addition to eating and drinking in their company he wants to be informed about everything he sees?<sup>33</sup>

8. Isn't it outrageous that a boy of that age should clearly crave what is set before him and grabs the food greedily and consigns it to his mouth?<sup>34</sup> And isn't it shameful that the men have power to extend either hand

26 As usual, when a boy was orphaned, an uncle or a grandfather played the role of surrogate father – for example, in writing letters of application to schools (see Criamore 2007a: 114–15).

27 Being unable to enter, they cannot supervise the child as usual. Their presence, moreover, points to the fact that the child is rather young. Pedagogues supervised children of the wealthy from the elementary school years up to and including the period of rhetorical instruction. Though Libanius mentions children here, as a rule the children who were invited were adolescents. The pedagogue was mostly in charge of supervising the studies of a young man, the attendant and the slave took care of his material needs.

28 In the phrase there is much alliteration of the 'p' sound that shows Libanius' indignation.

29 See Demosthenes *Or.* 19.197, which describes a young woman prisoner forced to drink during a banquet. See below, section 18, for a reference to the same oration.

30 Drunkenness will cause disgraceful behaviour.

31 Libanius did not like the presence at the banquet even of young boys who behaved properly and did not intrude in the conversation. He considered them a nuisance. Yet the talkative boy was more insufferable.

32 Cf. Aristophanes, *Clouds* 963, 'boys should be seen and not heard'. Aeschines, *Against Timarchus* 105 presents the opposite portrait of the scoundrel boy who cannot blush.

33 I am following a conjecture of Foerster in the notes (ἀλλὰ καὶ πάντα τὰ βλεπόμενα πῦθέσθαι βουλόμενον), since the meaning of the text (κατὰ τὰ βλεπόμενα πείθεσθαι βουλόμενον) 'wishing to believe' is difficult.

34 A distant echo of the passage can be found in Plato, *Republic* 354b: 'The gluttonous grab and taste what lies in front of them before properly enjoying it,' to which Julian refers in the second Panegyric to Constantius (*Or.* III [II] 15.69c; I thank Alessandro Pagliara for this suggestion). Cf. Aristophanes, *Clouds* 981–83 on the proper table manners of a youth who is not supposed to reach for even a single radish; Ps. Plutarch, *On the Education of Children* 5a, comments on youths 'who give themselves to the pleasures of the table.' Here, however, from etiquette the discussion escalates to lurid details and the greed for food becomes sexual greed.

wherever they wish and from behind stretch it along the boy's back?<sup>35</sup> The man knows that this often leads to intercourse.<sup>36</sup> But if this is not so,<sup>37</sup> when they are so close, it is easier to make requests and great promises, to convince, bind with oaths, lay the foundation here and afterwards build upon it.<sup>38</sup> It is not easy for a man to converse with a boy about these things elsewhere; rather, there are suspicions and ill repute, and no words between them when they meet,<sup>39</sup> but those who eat at the same tables can easily exchange any words and one who wants to prevent this is untoward. Why indeed shouldn't one talk with the person he drinks with? I myself know a father who boasts he is celebrated for the readiness of his two sons to everything<sup>40</sup> in these matters.

9. If someone considers the past,<sup>41</sup> he would find that today fathers have become worse than children in this. Such lunches and dinners, in fact, have driven away modesty, which is the greatest quality in boys of that age. But this also makes this part of the liturgical burden more difficult to bear for the organizers of the games and fraught with more danger and greater risks<sup>42</sup> because all people wish to dine together and consider it a disgrace not to do so, yet the facilities and the servants are not sufficient for the additional people; this excess is due to the children's presence so that the imbalance affects the expense.

35 The boy is now considered a coveted food, a delicacy.

36 Reiske, *ad loc.* thought the subject of this phrase was the boy but it seems unlikely. The boy is still presented as innocent. The phrase could be translated 'the place for intercourse', that is, the man can touch the private parts of the boy. It is implausible, however, to imagine that the copulation went on right there.

37 Libanius is backing off the previous hypothesis.

38 These are all stages that lead to the young man's debauchery.

39 So apparently it was hard for grown men to talk explicitly with young boys during everyday social intercourse.

40 The 'everything' might be simply eating, drinking and chatting.

41 Festugière translates *χρόνους* as 'the ages', but this meaning of *χρόνος* appears only in poetry.

42 People in late antiquity felt a real passion for the games so that those in charge of financing them shrank less from this expense than from other liturgical expenses and were less reluctant to undertake them. The organizers were in charge of procuring wild beasts and athletes from abroad in wild beast hunts and athletic spectacles. The point in this section changes. There is an allusion to the harsh consequences a person who did not have the financial means to undertake a liturgy would suffer. The 'dangers' were real and even included cruel flogging in public in spite of the fact that the law theoretically prohibited it (*LRE* 750). Libanius often expressed horror at the flogging of decurions and former governors, especially in *Or. 57 Against Severus*, where the former governor Malcus is cruelly tortured in public.

10. The addition of children is a disaster for the man undertaking the liturgy! Before, the person invited used to hear that he should come by himself but now it's children and all. The man arrives bringing his band.<sup>43</sup> I said *band* because one father came with his seven children (the youngest was seven years old) so that they needed a table just for themselves.<sup>44</sup> I believe that, if women took part in the feast too, this father would also have brought his daughters and those of fathers who have them.<sup>45</sup> In fact, a man who did not feel well himself filled his son's belly;<sup>46</sup> another was a Phrynōn:<sup>47</sup> though he knew that the sickness<sup>48</sup> of homosexuality is now very widespread, he inculcated the poison into young boys who couldn't yet be persuaded that anything is preferable to debauchery.
11. I think that those who issue the invitations<sup>49</sup> also do wrong and are

43 As a rule, Libanius uses the term *χóρος* (*choros*) to indicate his students, his class, e.g., *Ep.* 405.6. Here the father is like the teacher of a bad class.

44 Libanius must have had in mind a specific example here.

45 Women could not participate and the argument is developed in section 19. The late antique world was still a world of men even if some women of the upper class had a good education, such as Alexandra, the wife of his friend Seleucus, with whom Libanius exchanged letters and books and whose small daughter was supposed to be educated (cf. *Epp.* 734 and 771).

46 Reiske (and Festugière following him) envisaged a father filling the belly of his child with sperm, but the meaning needs not be so lurid. A father who was too sick to eat sent his son by himself (something that Libanius deplores) so that he could gorge himself with food. The scenario is the same in letter 1428 (cf. introduction). This concept is repeated at the end in section 29 where fathers exhorted children to eat a lot. The meaning of *ἀσθενεῖν* (to be weakly and sick) does not apparently extend to perversity and thus this little story seems to be connected with what precedes. It is true that the following allusion to Phrynōn is connected to immoral behaviour but it is not connected with what precedes. I am inclined to take this as an outburst of traditional invective.

47 Demosthenes told the story of Phrynōn, who sold his son to Philip of Macedon in *Or.* 19.230 and 233 and 21.101.5. Cf. *Or.* 39.18 and 22, in which, apparently, Mixidemus does the same with his youngest son. Here Libanius means to say that this father 'sold' to others the favours of his young sons. It is possible, however, that this father was guilty of 'selling' his children because he did not supervise them. He neglected them and closed his eyes when they were doing something wrong.

48 On the close occurrence of 'sickness' and 'poison' (though in a completely different context), cf. Aeschylus, *Agamemnon* 834–35. From this it is clear that Libanius condemns homosexuality. Nothing in his corpus reveals that he had homosexual tendencies, though Eunapius in his *Lives* 495 reported that Libanius was expelled from Constantinople 'on a scandalous charge' that involved his students. Eunapius' voice, however, is completely isolated in this respect. His whole sketch of Libanius seems unfair.

49 We do not know much about people who issued the invitations and who were probably part of a committee for the games; no letters of invitation have been preserved. What

inconsistent when in their letters they place those who lead immoral lives somewhere else so that others – and especially the children of the more prominent men – will experience the ways of those men.<sup>50</sup> One might reasonably censure the host himself, and yet I see that the greater blame rests on those who accept even though they are free not to accept,<sup>51</sup> for those who extend the invitation could neither shackle nor strangle<sup>52</sup> those who think fit that [children] should stand alongside fathers, but it was possible for those invited to respond to the fact that they are invited with their children: ‘We will honour the Olympic games by not allowing those who are still under the supervision of pedagogues to taste a wicked freedom or those who are rightly separated by age to mingle during the festivities’.

**12.** ‘But – someone says – this has become customary, and many Olympic games have such festivities’.<sup>53</sup> Actually, more games don’t have such feasts. Is it right that the practice of a shorter period or a longer one predominates?<sup>54</sup> And was the reputation of the city better whether or not youths were invited? My recommendation is late,<sup>55</sup> but this does not improve the matter; I could be accused of that, yet this [custom] would not be less awful even though it is one of those that are habitual. As many things have become customary for the worse, others have ceased, which deserved still to remain and to prevail. It is a misfortune not to have opposed those who first introduced this, but it is utter folly to preserve an unworthy fortune. **13.** I think that the

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follows shows that those who sent the letters had to obey the injunctions of powerful people (definitely the ‘president of the games’ who is mentioned in section 3) who wanted them to invite certain citizens together with their children. Since the same verb *καλέω* (to call), which is used here, appears in section 3 with reference to the president of the game, it may be that he is the real subject of the sentence.

50 Libanius says that those who sent invitations for the banquet paid attention to the way of life of those invited and seated them accordingly (maybe in a less prominent place or away from conspicuous citizens). Yet they did not realize that when they put them next to children (that is, socially in a less desirable place and maybe in a special section of the banquet), they jeopardized the morality of the latter.

51 That is, fathers are entirely to blame because those invitations were not compulsory.

52 An exaggeration, in the sense that they cannot force the will of those people.

53 This is the objection of those who wanted to keep this custom: it was traditional and so it should not be changed. Libanius responds to similar objections on other occasions (see, e.g., *Or.* 52.19–21 on people’s reluctance to abolish the traditional visits to governors).

54 Libanius is calculating that this custom was not there at the beginning so that it was relatively recent.

55 In the proem of many orations Libanius mentions that he had maintained silence with regard to the question in hand but that he was finally speaking about it. This admission here, that he was late in denouncing this custom, is similar.

father<sup>56</sup> of this custom is the one who introduced not a few others and each of them harmed the city. This one began when I was away,<sup>57</sup> but those who were present and eagerly saw to the organization<sup>58</sup> of the feast should surely have opposed it, prevented it and fought it, and should not have kept quiet on an occasion that demanded shouting and anger. As we should consider it awful if someone thought of eliminating some of the existing traditions, likewise we should resent new additions. Both cases, in my view, imply lack of authority of the law. Those who would opposed this innovation at the beginning and prevented it would have succeeded more easily than those doing the same after it had already taken root. At all events, the argument that you use with me now, that this has been done often, could not have been valid then.<sup>59</sup> **14.** I could not be refuted by this argument with any justice, because innumerable other worse situations have also prevailed, but their prevailing does not change their nature; if they were disgraceful, they remain such. Similarly, for the army that has often rescued itself by flight, its escape is not a stronger argument in favour of the necessity of never ceasing from flight, and likewise for the politician who has prospered by stealing, frequent stealing [is not a good argument] for the necessity of stealing all the time.<sup>60</sup> **15.** I felt shame when on my return from wherever it was I found so many changes and this one in particular that concerns young men, but since I considered that old people rather than arguments have the ability to persuade I waited all this time with the intention of being able to accomplish something in this way.<sup>61</sup> With the gods' will, I hope to make

56 That is, the initiator. Libanius uses the word 'father' often in this oration and generally with the regular meaning. He rarely employs the metaphorical meaning that is found e.g., in Plato, *Symposium* 177d (Phaedrus as being the 'father' of the debate; cf. Libanius, *Declamation* 39.1.23 1, 'the father of a speech'). Libanius, however, often referred to himself as 'father' of his students who thus produced speeches similar to his (see, e.g., *Epp.* 996 and 1009 = R159, 160).

57 He is referring to the period he spent in Constantinople where he went in the late 340. He returned to Antioch in the spring of 354.

58 Πεποιημένων must depend on 'saw' and mean 'those who organized'.

59 Literally, 'saying to me now that this was done often was not possible then'. Those who initiated the custom could not have used the argument that it should continue because it was traditional.

60 These are the kind of arguments that students had to develop in preliminary rhetorical exercises.

61 Libanius sees an advantage in being old, wise and able to convince people, even though, as he says in *Or.* 2, people are tired of hearing his tirades. Here he is admitting that when he returned to Antioch and in the years following he did not have much power and felt too weak to oppose a custom that was well established.



many other negotiations about other problems. Many remedies would be necessary to heal the many afflictions. **16.** Someone who will be distressed if this additional practice is abolished and the man who speaks magniloquently in many places<sup>62</sup> should bear in mind that once these banquets were free of presents, but later on presents were included and the participant brought home something when he left. This practice went on in many Olympic games and it seemed so strongly established that not even one of the gods<sup>63</sup> could have removed it, and yet it has been abolished, ceased and faded away.<sup>64</sup> The city, therefore, could be confident that someone would never be lacking to undertake this liturgy for Zeus.<sup>65</sup> This in fact was the most distressing thing,<sup>66</sup> which did not exist in the past, when the god was honoured through order and temperance rather than through unbridled expenses and boys drinking with adults, as if the abolition of that practice benefited the liturgist in two respects.<sup>67</sup>

**17.** 'It's an honour that is pleasing to fathers that their children are also entertained in this fashion!' I have shown that this practice is not according to custom. In addition, how is something not bad when it is better than what is just by the mere fact that it does them a favour?<sup>68</sup> We do not honour those who have distinguished themselves in war with many honours, if they are

62 The sophist seems to refer to two different people, one who regrets Libanius' proposal and another in particular who is vociferous against it and is eloquently opposing his proposal to abolish this custom. It is impossible to identify this man with any certainty. The argument about the presents is an additional one. Libanius mentions the question of presents in a later oration, *Or.* **38.5**, in which he inveighs against his former student Silvanus. It cannot be ruled out that the same men opposed the abolition of the new practice in the banquets.

63 This is one of those casual expressions that are irrelevant with regard to Libanius' religiosity, such as that a man who is good is 'like a god'; see, e.g., *Ep.* 1392 = B39 when he writes that the governor Alexander is 'like a god' when he quickly raises the fortune of some people.

64 The festivity when people continued to give presents was the Kalends, the beginning of the year (cf. *Or.* 9, *On the Kalends*).

65 People tried to avoid this liturgy when the giving of presents made it even more burdensome. When the practice was eliminated, it was easier to find someone willing to undertake this service.

66 That is, avoiding the liturgy.

67 The last phrase is difficult to explain so that scholars have suspected some corruption. It may be an intrusive and incomplete gloss. It is also conceivable that ὥσπερ ('as if') has supplanted ὥστε ('with the result that'). It seems that it is an allusion to the practice of giving presents mentioned above. When presents were eliminated, liturgists were more willing and spent less and boys no longer drank with adults.

68 Doing a favour to fathers is not enough to make an unjust practice better.

for things that a man has not won.<sup>69</sup> If someone should fail to honour Zeus<sup>70</sup> in order to honour a man, how would he not be utterly wrong? **18.** And indeed I also point now to the fact that this is harmful both to sons and to fathers, if the interests of sons are also those of fathers. If the disgrace of the sons is a bad thing, can it be good for the men who begot them? How can something that carries a penalty be rightly called an honour when it brings dishonour to those honoured? I heard in fact that someone was in love with a handsome boy but could not converse with him because there was no occasion to get together. So he kept on saying to his friends and to himself: ‘The Olympic Games, which strip the athletes, will come and will also strip this young man amidst the numerous banqueters. It will be possible to move him away from the table a bit in order to look at his legs as he stretches himself or at the parts that bulge out’. We hear words like this, that Demosthenes related how changed a young man became through taking part in feasts and in the company of drunken men, and that he used this as the most important testimony against the way of life of Aeschines.<sup>71</sup> **19.** So I would say that the youth who is debased in such a way has no honour. How easily he gives his right hand to the god?<sup>72</sup> He withholds it. How can the man who has taken it be honoured by this? I couldn’t deny that fathers derive pleasure from that,<sup>73</sup> but considering the pleasure of some

69 The translation here is slightly free to explain the meaning of the sentence. This is another example similar to those in section 14.

70 The implication is that Zeus is neglected because people are concerned with gratifying men.

71 Demosthenes, *Or.*19.200 (*De falsa legatione*) reports that people knew that, when he was a child, Aeschines, besides reading the books for the rites of his mother, took part in feasts among drunken men. According to *De corona* 18.129, this woman indulged in orgiastic rites and supposedly prostitutions. Libanius here follows these texts very closely. His preference for Demosthenes over Aeschines is evident and is in line with the tastes of the Roman public but he knew the texts of the latter and of the rest of Attic oratory. This is the only direct reference to Aeschines in his work besides those in the *Declamations* 1.150.6; 2.1.23.8; 17.1.1.2 and 17.1.1. Cf. section 6, above for reference to a different passage of Demosthenes, *Or.* 19. On Demosthenes and Aeschines in Libanius, see Casella 2010: 51–60.

72 The text is corrupt and the various conjectures do not help. Foerster proposed to read ‘the man who is hated by the gods’ but too much needs to be incorporated. Could ὁρθός stand in place of ὀπov (Foerster) ‘standing upright before the god’? Or, perhaps better, does ὀπov stand in place of ὀρκov, that is, ‘as a pledge to the god’? See Libanius, *Declamation* 30.27.4, a *suasoria* (that is, a declamation in favour of something, here proposing a law against adultery). The man who bears the shame because his wife betrayed him ‘finds it difficult to lift his hand and withholds it’. Here I have modified Foerster’s punctuation: πῶς γὰρ θεῶ ῥαδίως δίδωσι δεξιάν.

73 This seems to contradict slightly what Libanius has said above (section 18) that the

more important than the good of the whole city is not, in my view, a good argument.<sup>74</sup> If in fact we look at and focus on just one thing, the pleasure of some, but will not inquire in addition whether it is better or worse, what will prevent people from bringing their wives too to the common banquets and likewise female servants and other women and those from the mills?<sup>75</sup> To say little of attendants,<sup>76</sup> who would declare that they would be so pleased, and so grateful, and would take such pleasure in the Olympic games if they could also take part in the festivities.<sup>77</sup> I approve of more honest pleasures, but shouldn't I be able to denounce baser ones?

20. Do not then even grant, comply with and give heed to everything, though if you do you will provide pleasure for these men.<sup>78</sup> If fathers do not consider this favour so important, why should we grant it? But if they value it a lot, they are not acting in their right minds. We must not take men like these with much seriousness. They will be disheartened if their sons are not invited even though there is no reproach involved. But better they be disheartened without shame than live in shame amidst laughter and pleasure. 21. People who are punished are also downcast yet they are schooled by punishment. One who praises a murderer sends him to commit other murders happily. Certainly a prosperous man who is in distress can be restored, but the wretched one who is pleased cannot be cured.<sup>79</sup> What awful

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good of fathers and children coincides. He is probably referring to the pleasure that *some* fathers had and not the false pleasure of those who saw their sons debauched.

74 The whole city is damaged by the immorality of some. Consider *Or.* 39.23, where Libanius was afraid that the whole city could be punished because of the wickedness of Mixidemus. After such experiences, a young man cannot engage in politics with honour. This concept is developed in section 22.

75 Cf. what he says above in section 10 about the fact that men in theory could bring their daughters. This list of women starts with wives, moves to house servants, and goes down to slaves in the mills. The argument is typically sophistic because some women would be automatically barred from the banquet because of their social status. In *Or.* 10.29–30, the sophist develops the argument that increasing the number of the spectators at the games in Daphne is deleterious. He starts by saying that artists and male and female prostitutes were barred from viewing. Women in any case could not participate and were excluded from the whole suburb. Libanius alludes there to an obscure episode when a Christian obtained the right for women at least to be present in Daphne, but a cruel disease punished him for this.

76 Female servants and attendants are mentioned together in *Or.* 47.8.8, where the person who is oppressed by debts tries to sell them.

77 Foerster proposes a feminine pronoun referring to the women, that is, the attendants would be so happy if the women too could take part in the banquet.

78 That is, to the fathers who enjoy taking their sons.

79 This sentence and the previous one use gnomic aorists of which ancient rhetors were fond. Such sentiments could be developed into school exercises.

consequences could the distress of these fathers have? Will they abuse the organizer of the games? In this case it will be vile men against a good one. Will they not come to the dinner? How would the banquet be spoiled if these men who are full of insensitivity sit somewhere else, far off?

**22.** Will this thing cause pain to the young men too? It will be a beneficial pain and will be better than many drinking cups. The young man distressed today will later praise me when, in speaking about his own virtue, he will also be able to say that when he was a child no outsider saw him drinking or eating anywhere, not even at the Olympic Games.<sup>80</sup> This will protect his freedom of speech entirely.<sup>81</sup> Because of this he will without risk speak with magistrates on behalf of the just without feeling trouble in his soul,<sup>82</sup> as would be the case for the man who saw any of those who reclined together on that occasion.<sup>83</sup> **23.** There is nothing new in benefiting children by causing them pain because you get the same from pedagogues and, by Zeus, from teachers: threats, thrashings, much harshness and where (it is needed) punishment from parents too.<sup>84</sup> Overcoming this treatment, however, has and brings forth power. And so these young men, who are prevented from dining in this fashion and are dejected, will afterwards acquire qualities that confer strength so that they will praise their dejection. **24.** The greatest benefit for someone sick is relief from the disease. Who could bring this about and how? A doctor. How do young men look at the person who has this power when he enters? And when he sets to work? And when he mentions abstinence from food? Who, by Hercules, would cause them more distress if he needs to cut and burn? Who would be more

80 For οἱ ἑξω, see *Or.* 58.14.3 (translated by Norman as ‘outsider students’). The meaning here is that no unfamiliar person ‘outside the doors’ of the home should see the young man feasting.

81 The man who lived an irreproachable life has the right to criticize others and in politics can raise his voice against corruption.

82 Libanius is always attentive to inner thoughts. The man who is aware that he misbehaved in his youth feels he is somewhat at risk in speaking of justice and feels some unease. Cf. *Or.* 37.15, when listening to orations people who are not attacked directly still identify with those attacked because of their self-awareness that they were to blame too.

83 The meaning seems to be that a person who sees an adult and a young man reclining together would feel troubled.

84 Punishment was part of teaching in antiquity at all levels, though physical punishment became generally less harsh in higher education (see Cribiore 2001: 65–73). Libanius condemned the cruel punishment of some pedagogues, as in *Ep.* 1188 = R183, where he denounced an attendant who hit his ward regularly and ferociously. The sophist, however, highly approved of their strict supervision of their charges. He presented in *Progymnasmata*, *Chria* 3 a harsh vision of education from the early years of a child.

hateful? It is entirely different, however, when the young man is allowed to bathe and to have every food and drink at his disposal; then, for him, the doctor comes even before his parents.<sup>85</sup>

25. Distress will come to the fore now, but pleasure will follow. Let me speak briefly of the words they will vent, before reaping the fruits, against me, the advisor, and against their parents who accept this suggestion – if they do in fact accept it.<sup>86</sup> Youths of this age cannot yet foster their reputations. I say that they must keep away not only from these meals but actually from all those of the same sort (other people in fact hold similar banquets). 26. And further the celebration of the Olympic games occurs in the summer and makes fingers hesitate for fear of not being able to escape the attention of many eyes, but winter shows no fewer weddings<sup>87</sup> than in the good season, when the cold makes the guests wrap blankets around themselves. Then two types of weddings occur, one open and according to the law,<sup>88</sup> the other in secrecy and against the law. And so let the father of the groom or of the bride not invite young men to the dinner on the grounds that he will be invited them not to the banquet but rather to what I have described.

27. You will think that this speech is about banquets but actually it is on behalf of the city – if one is willing to examine it well. Salvation for them (the citizens) depends on the virtue of those who manage common interests, but their ruin occurs when some reproach follows them closely from a very young age. Whenever there is something that prevents a man from arguing public affairs and sanctions the decisions of the governors even if they accept bribes, how can the city not suffer the greatest harm?<sup>89</sup>

85 Libanius often mentions doctors and had some of them among his friends. Cf. the long excursus about doctors in *Or.* 52.32–36. It appears from this and the next section that he regards himself as a doctor of the soul for young men. They will be angry at being barred from the banquet but then will thank him. In doing this, he is even superior to the youth's parents.

86 The sophist expects a violent reaction from young men at his next proposal, that they should be barred from any banquet.

87 A strong word (wedding) that spells out the sexual nature of those encounters. Libanius is thinking of weddings accompanied by banquets that took place in winter so that, as he says below, two types of weddings occur, one legitimate and one illegitimate (the sexual encounters of men and boys). Because of the cold, people were wrapped up in blankets that helped hide sexual advances.

88 Libanius celebrated in a letter the splendid marriage of the student Calycius, where fresh fish was served at the banquet (*Ep.* 371 = R188).

89 As also today, a public figure needs a clean record; otherwise his participation in public affairs is risky because his past conduct may be scrutinized and attacked.

We must exercise the greatest caution with children so that, going from a splendid start<sup>90</sup> through the other times of life, they can conduct themselves as citizens with a free tongue.<sup>91</sup>

**28.** ‘But those who did not eat (at the banquet) will detest the organizer of the games!’ The gods, however, will cherish the man who has made the feast more excellent and more pure. ‘But they will vilify him!’ Because they are hostile. But afterwards they will censure what they say now and will celebrate other things.<sup>92</sup>

**29.** There would be no need of this speech if fathers were willing to be fathers. If they were, some fathers would not take their children there, and others send them there,<sup>93</sup> and if the banqueting did not happen, there would be no reason to give this advice. Now there are some who say to their children when they are about to go: ‘Come on, try to eat as much as you can. Come on, fatten yourselves up until you are sated and do not be less than those who are proud of the size of their belly’.<sup>94</sup> As a result of this advice, they come back full of germs that generate various diseases, which [need the doctors’ skill]<sup>95</sup> and all that partakes of that, so that they become as cold as possible and die down. These diseases are many and the young men are not ashamed to say and explain to the doctors where they come from.<sup>96</sup> **30.** Like others, I did not teach my son to be at this banquet and some

90 βαλβίς (‘start’) is literally the rope at the starting (and ending) point in the race course. The term denotes here a child’s birth, which is γενναῖος ‘noble’.

91 The verb πολιτεύειν (‘conduct themselves as citizens’) means to take part in government and be a member of the council.

92 Things that are more deserving, such as hard work, honesty or family affections.

93 The difference seems to be that some fathers led their sons to the banquet and others send them there by themselves, with relatives or other attendants. See section 6, where the pedagogue and others are waiting outside the doors.

94 Libanius declared in *Or.* 64.99 that it was impossible ‘to fatten the body and tend the soul’ and repeatedly showed his disdain for those students who neglected rhetoric and continued eating, drinking and indulging in sleep (cf. *Or.* 23.20 and 34.12). When students who had left the school and gone home in the period of the Riot of the Statues in 387 subsequently returned, they were sporting abundant flesh and the sophist considered this a sure sign that they had not worked at rhetoric. In *Or.* 38.6, Libanius regarded with scorn the son of Silvanus who had defected to the Latin teacher and had put on weight. He himself confessed that his work did not leave him enough time to eat regular meals (cf. *Ep.* 351 = B37). See also the portrait of his secretary Thalassius in *Or.* 42, whose love of eloquence went together with control of eating, drinking and sexual desires. Likewise, he praised the moderation of the emperor Julian in *Or.* 12.94.

95 I am following Foerster’s suggestion (καὶ δὲ τέχνης ἰατρῶν), but the text is irretrievably corrupted.

96 This section is quite ambiguous and the lacuna complicates understanding. At first

good derived from that;<sup>97</sup> I know of another who has done like me, and he also got something good in return;<sup>98</sup> as for those who did the opposite unless someone holds them back, I would like them to come to their senses under constraint,<sup>99</sup> since they did not persuade themselves.<sup>100</sup>

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it seems that young men have digestive problems as a result of their excessive eating at the banquet but then there is a shift to other kinds of diseases, maybe venereal, of which the youth is ashamed and which he confesses to the doctor.

97 Libanius often introduces personal memories to strengthen and enliven his orations. References to his son, however, are not so frequent. See introduction. On him (cf. Cribiore 2007a: 15–16 and *passim*). Cimon (sometimes called Arrhabius) was born out of wedlock from a woman apparently of inferior status who lived with the sophist. Libanius mentioned her only after she died (*Or.* 1.278). He praised his son's eloquence occasionally – for instance, when he said in a letter that Cimon was as good an athlete as a rhetor (*Ep.* 843 = N147) and tried in vain to make him exempt from curial duties. Cimon died young in 391 without obtaining the official post he aspired to.

98 It is impossible to know to whom Libanius is alluding.

99 That is, he wishes that these men could learn from the bad consequences of their behaviour.

100 Persuasion, therefore, or lack of it, frames the oration in the proem and epilogue. This section is the epilogue proper and is quite short, as usually happens in Libanius, who does not develop this part of his orations.

**ORATION 41 (382–387),  
TO TIMOCRATES**

**Oration 41** is, like **39**, *Against Mixidemus*, a consolation (παράμυθία) for an individual. In neither case, however, did the addressee suffer the loss of a loved one (as is usual in the examples of the genre offered by Menander Rhetor), but both were in the grip of disappointment and depression.<sup>1</sup> In **Or. 39**, the person consoled was a teacher who tried to ingratiate himself with the powerful but wicked Mixidemus, who promoted the interests of another teacher. In **Or. 41**, Timocrates is a governor (a *comes Orientis* or a *consularis Syriae*), disappointed in his hopes of being acclaimed in the theatre, who attempts to win the favour of the professionals who made the acclamations of eminent people their business. Like Antiochus in **Or. 39**, Timocrates is firmly reproached by Libanius who hopes to convince him that a governor should take no account of acclamations because they were meaningless and were not proofs of the favour of the city. In the narrative of his life (*Or.*1.207), Libanius recounts that he made this same exhortation to the governor Philagrius 2, who is also mentioned in section 18 of **Or. 41**. In *Or.* 1, Libanius told Philagrius not to listen to the accusations that the people and the theatrical claque hurled at him, but to laugh at them; Philagrius followed the advice for a while, but eventually responded with floggings.

In late antiquity there was a wealth of ceremonies, processions and events that were celebrated in a grand way with pomp and spectacle.<sup>2</sup> The paramount example is perhaps the magnificent visit of Emperor Constantius II to Rome, which Ammianus (16.10. 1–13) portrayed so masterfully that we still hear the noise of the triumph and the emperor's impassive formal silence. But pomp and grandeur were not limited to events of exceptional civic import. The clagues that led the applause at performances of dancers (*orchestai, pantomimi*) in theatres are well known,<sup>3</sup> and they were present

1 See the introduction to *Or.* 39 on Menander Rhetor and typical consolations.

2 MacCormack 1981.

3 See Webb 2008.



at sophistic displays as well. In his *Oration 23, The Sophist*, Themistius defended himself against the accusation that he fed and otherwise supported a band of men who followed him to the marketplace, shouted their approval of whatever he said and vied with each other in their acclamations. Themistius' defence, that 'If I had organized such a band with a leader, I would definitely be a sophist', implied that while men did indeed support him in this way, they did so spontaneously, without receiving payment.<sup>4</sup> It also clearly indicates the existence of paid *cliques* that supported sophists.

Acclamations consisted of sequences (of varying length) of rhythmical phrases addressed to those in power that people chanted on public occasions.<sup>5</sup> They might be expressions of welcome and joy, upon, for example, the arrival of a governor (as at *Or. 41.12*, where the people who ran before the governor's chariot singing 'songs' were accompanying him with rhythmical chants) and/or wishes for the addressee's good health. They might also contain specific requests (and/or protests). A good but somewhat disjointed example of acclamations survives in a papyrus dated to 300 CE that reports meetings in honour of a *praeses* and other officials (*P.Oxy. 1.41*).<sup>6</sup> The document is filled with acclamations, but their object and the reasons for the requests are unclear. In *Or. 40.23*, Libanius mentions acclamations as part of the celebrations for the return of the governor Domitius I to Antioch. A crowd accompanied him to his headquarters with great pomp, applauding and chanting acclamations.

In *Or. 41*, Libanius distinguishes between acclamations in the theatre and those of a political character that were the concern of Timocrates. He devotes some of the speech to describing the behaviour of the *claque* at theatrical spectacles, saying that their continuous shouting did not in fact indicate the best parts of the performance and prevented people from learning which were the best. His short invective against these despicable men in sections 6–7 has a traditional ring, evoking the accusations of both Demosthenes against Aeschines (who was guilty of having a connection with the theatre, particularly through his mother: *Or. 18.129–30*) and of Aeschines against Demosthenes (e.g., *Or. 1.131*). According to Libanius, the immorality of the Four Hundred (as he calls the *claqueurs*) and their association with actors and dancers make them dangerous to young men and supposedly inspired them to rebel against their parents. Youths were

4 Themistius, *Or. 23.294*.

5 On acclamations, particularly in Antioch, see Liebeschuetz 1972: 209–19.

6 Cf. Slootjes 2006: 127–28.

under these men's influence when they went up to Daphne for the festival, which was originally in honour of Apollo but had degenerated into mass carousal.

In the first and later sections of the speech, Libanius considers the main theme of this oration: acclamations of a political character in the theatre. They seem to have developed from simple acclamations at shows after the *claqueurs* became aware that they could influence the crowd in non-theatrical matters, and by doing so could gain the favour of officials. Robert Browning has pointed to the fact that organized *clagues* existed long before, for example, under Nero.<sup>7</sup> Yet something changed in the fourth century: theatrical acclamations became the kind of political manifestations Timocrates yearned for, in which the people of Antioch could show their favour or disfavour towards political figures. It is true that the Four Hundred were not entirely part of the city and yet they could influence city life. They were not Antiochenes but foreigners, and Libanius repeats his claim about their provenance in *Or.* 26.8 and 17. He emphasizes the fact that regular citizens were not responsible for the acclamations: they did not even fill the theatre, which was full of deserters, runaway slaves and the members of the *claque*. In *Or.* 10.25–26, the sophist again manifests his deep dislike of foreigners (though not in relation to the shows). Here he does not point to these men's immorality but says that they had immigrated to Antioch because of catastrophes (*symphorai*) in their native cities, and considers this event unjust. However, even though the members of the *claque* were foreigners and acclamations were not spontaneous, at times they might represent the true opinions of the Antiochenes. Libanius underlines the political power of the members of the *claque* elsewhere in his work. In *Or.* 46.17–18, 39, he calls them 'drones' and 'the four hundred wolves' that ceaselessly demanded and obtained what they wanted and had power that others recognized. Thus they could lead a demonstration against prices or other measures.<sup>8</sup> Another parallel should be considered even though Libanius did not refer to acclamations proper. When Julian departed for the Persian expedition, in *Or.* 16, Libanius upbraided the Antiochenes for their unjust treatment of the emperor when they lampooned him, as Julian mentioned in the *Misopogon*. On that occasion the sophist reported the citizen's defence: those responsible were only a few, were disreputable individuals and were foreigners (16. 31–34).

7 Browning 1952: 13–20.

8 Casella 2010: 297–98.

Silence as the opposite of rowdy acclamations dominates this speech. Silence and the breaking of it sometimes opens other orations of Libanius and is the theme of *Or. 35*, where the sophist rants against the passive and indifferent attitude of former students who do not participate in discussions in the Council. But whereas in that speech the sophist presents silence in a bad light and considers its consequences disastrous for his former students and for his own reputation, in *Or. 41*, silence is negative only in the eyes of Timocrates and others like him. In theory, disregard for silence shows the independence and strength of a governor. *Or. 41* is not the only speech that underlines a governor's preoccupation with the silence in which he was received. In *Or. 33.12*, the governor Tisamenus considered the silence in the theatre a true disgrace, and when people remained seated and did not manifest any favour, the colours of his face kept on changing. After the spectacle, he manifested his irritation to those who accompanied him home.

*Oration 41* is not only about Timocrates but also about weak and insecure governors in general. The whole theme is prefigured in section 2 when Libanius disparages people who wish to rule those who rule them, and he shows them fully succeeding in doing so in section 15 when he says that the people had the governor in their power. In the first five sections, Libanius addresses Timocrates directly. The second-person singular pronoun then shifts to the plural, showing that Timocrates is in good company. He is one of the governors who set a bad example and probably the last who disappointed Libanius. The sophist's general dislike for governors, with the few exceptions of those who accepted his advice and bent to his will, is clear throughout his work. There are numerous examples of governors he judged favourably at first, but who then fell from his graces. For example, at first he appreciated Eustathius 6, who became *consularis Syriae* in 388 and who avidly attended Libanius' lectures. Yet he turned against the sophist and attracted his anger after Libanius insisted on promoting the cause of a student (*Or. 1. 271–72*). As Libanius says in his *Autobiography* (1.2), oratory was at its best when it 'opposed the excesses of governors'. Though oratory had lost some of the combative nature it had in the time of Demosthenes, it maintained in Roman times some polemical functions of which Libanius was proud.

In section 16 there is an intriguing reference to the emperor Julian. In speaking of the celebrations and festival in Daphne where governors went to be applauded, Libanius mentions that Julian (a good emperor) had seen the immorality of that feast and had abolished it. After him, however, it was reinstated, supposedly for the happiness of the Antiochenes so that

people went to Daphne and caroused for several days. In the *Misopogon* ('Beard-Hater'), the satire that Julian composed to upbraid the citizens of Antioch when he was on his way to Persia, the emperor had described his disbelief upon noticing that the festival in honour of Apollo in Daphne had entirely lost its pagan and religious character.<sup>9</sup> He had imagined all kinds of pious celebrations (sacrifices, libations and choruses) but found nothing of the sort. The priest confirmed his fears, saying that he personally brought a goose from home to sacrifice, but the city did not contribute anything. Apart from this testimony of Libanius, there is no certain evidence that the emperor did anything concrete to abolish the festival.<sup>10</sup> The mention of Julian in section 16 comes immediately after Libanius' bitter observation that the festival in Daphne corrupted well-behaved young men who lost their *sophrosyne* (good conduct and self-control) at the feast. One is therefore reminded of *Misopogon* 355b–c where Julian supposedly reported the Antiochenes' opinion that he had been too harsh on them. In the *Misopogon*, the example Julian gives to show the independence of the citizens is amusing, describing Antioch as a city of asses who liked to walk under the porticos. Immediately after this, he mentions the carousing of the young men, who are therefore endowed with the same independence shown by the asses. The reference to these youths, who are likely to be the same ones Libanius shows partying in Daphne and losing their innocence, makes it very likely that in **Or. 41.16** Libanius is remembering this work of Julian and that what the Antiochenes say in the *Misopogon* about Julian 'forcing them' (*anagkazein*) to be just (355b) is an allusion to a decision of the emperor to abolish the feast.

Acclamations were able to rouse people to frenzy. The public, otherwise 'seated and silenced' (*Or.* 33.12), jumped up (and then down) to applaud and chant the slogans. Chrysostom (*On Vainglory and the Education of Children* 4, *SC* 188) described the theatre as filled with numberless faces and bodies. Upon the arrival of the governor, 'they stand up and cry out as from a single mouth. With a single voice, they call him protector and ruler of their city and stretch out their hands in salutation.'<sup>11</sup> In **Or. 41.4**,

9 Julian, *Misopogon* 361d–362b. Subsequently Julian made a speech in the Council but succeeded only in increasing his unpopularity. On the *Misopogon*, see Van Hoof 2014a and Van Hoof and Van Nuffelen 2011.

10 Libanius makes some allusion to this at *Or.* 16.35, where the citizens say that they did not want to be blamed for abolishing the holiday.

11 Chrysostom makes many denunciations of the theatres and spectacles (cf. *PG* 54, 660; 57, 426; 62, 428).

Libanius says that the members of the clique jumped up from their seats when they chanted. In section 15, the despicable men leap up, metaphorically throw down the governor as in a wrestling match, make him rise from his chair, and force him to pay homage to the city. The verb Libanius used there is *προσκυνεῖν* (to prostrate oneself). This speech also presents other up-and-down movements. In section 2, Libanius says that ‘the matter is upside down’ (and uses the verb *ἀναστρέφω*). We are told repeatedly that people ‘went up’ (*ἀναβαίνω*, sections 3, 6, 8, 16 twice) to Daphne but they also came down from it (*καταβαίνω*, section 16 twice). Is the fact that Libanius periodically uses such expressions only a coincidence? As a *τεχνίτης* (a masterful artisan) of the word, he must have planned every detail. The rhetorical density of this speech is high. This may be an indication that it was a highly ornamented epideictic piece that was supposed to be delivered publicly and admired by many. The content, however, is political, even though Libanius appears indifferent with regard to the issue.

Sections 14 and 18 provide examples of bad and good governors who accepted or rejected the Four Hundreds’ acclamations. It is difficult to identify these two gentlemen who came from Rome, who were apparently perfect in everything and were culturally well prepared and yet had in Libanius’ eyes an unforgivable flaw: the desire to be applauded. In section 18, however, the governor Philagrius 2, who is presented as a model of independence, is a figure well known from the *Autobiography*.<sup>12</sup> He was a pagan, favoured by Julian, whom he had accompanied to Gaul. After the emperor’s death he remained in the administration, a sign perhaps that he was a moderate pagan. He reached high office, became *comes Orientis*, and had to confront a crisis in the form of a famine and a protest of the bakers’ corporation in Antioch. Libanius alludes to this in **Or. 41.18** when he says that Philagrius ‘endured and escaped from that mighty storm’. In the narrative of his life, the sophist attempted to show that the Christians had tried to hamper the pagan governor and had accused him of bribery to discredit him. Libanius defended the governor but reacted strongly to Philagrius’ floggings of bakers. The whole episode gave the sophist an occasion to present himself as the benefactor of all people, including Philagrius, who supposedly avoided lynching. In **Or. 41**, Libanius does not even show a hint of disapproval of this governor whose determination is presented as fulfilling the past tradition of great governors. Unfortunately, this does not give a more precise date for the speech because we do not

12 *Or.* 1.206–211, with the whole episode of the merits of Libanius towards the bakers.

know when exactly Libanius jotted down the various episodes of the second part of his *Autobiography*.

In *Or. 41*, Libanius urges governors not to pay attention to acclamations but in *Or. 45.22*, he recognizes that they reached ‘the summit of happiness’ when the commons cheered them. He adds in *Or. 52.38*, that the governors were able to relax when they were applauded and thoroughly enjoyed the favours they received in the theatre. But did acclamations only tickle a governor’s vanity? An important point needs to be underlined. For a governor to be greeted with silence in the theatre was not a positive sign for his career. *Codex Theodosianus* 1.16.6, dated to 331, ordained that the emperor Constantine was to receive notice of acclamations, which were considered indicative of a governor’s administrative ability and popularity.<sup>13</sup> It stipulated that ‘The unjust and the evildoers must be accused by cries of complaints’ and therefore had to be punished. Silence was not necessarily a sign of evildoing but indicated that a governor did not fully enjoy the favour of the people and that his popularity was low. It is not unreasonable that governors such as Tisamenus were annoyed and preoccupied when people did not acclaim them.

The date of *Or. 41* is uncertain. Norman (1969: 2.liii) included it among the orations of unknown date and suggested that it was written between 382 and 393, and *PLRE I* followed him. Liebeschuetz (1972: 214 n. 7) was more precise. He accepted 382 as the *terminus post quem* on the basis of the mention of Philagrius but thought that the speech must have been written before 387 since Libanius does not mention the Riot of the Statues. Libanius also does not make any allusion to the events of *Or. 26* (dated to 384/385) in which the governor Icarius 2 behaved firmly towards the theatrical clique, so it is conceivable that *Or. 41* was written before that time. Hence we can tentatively date this speech between 382 and 385.

Festugière (1959: 228–29) translated into French sections 6–9 and Anastasi (1984: 252–58) translated the speech into Italian. This oration has been transmitted in only a few manuscripts. Available editions are those of Reiske, who corrected many mistakes in his *Animadversiones* (5.544 and 545), and Foerster.

13 See Norman 1969: 2.179–80, note to *Or. 45.22*; Slootjes 2006: 124–26.

## SYNOPSIS

1 A short proem on the reasons for Timocrates' dejection.

2–4 Narration of the events in the theatre, with Timocrates' reaction and Libanius' disappointment in him.

5–9 Description of the Four Hundred. Invective against them.

10 Objection: Aren't acclamations good? No, they are the greatest of evils.

11–12 Objection: Isn't it wonderful to be loved by the city? But these evil people are not the city. Encomium of the good citizen loved by the city.

13–14 Response to an implied objection: governors gain from acclamations. It is not true. Acclamations do not affect their reputation. The example of two governors from Rome who failed only in their love of applause.

15–16 Amplification on what governors in general and Timocrates in particular should do. Description of the power of the members of the *claque* and of the festival in Daphne where the governors (and young men) hastened.

17–18 Timocrates' objection: I was forced to celebrate the festival. Response: this is not true – you should have opposed these men. Now you have disgraced yourself. Consider the example of Philagrius who did not yield to them.

19 Epilogue, cleanse the city of these men.

1. You have come to us<sup>14</sup> from the theatre, Timocrates, but your countenance is not that of someone who has come from the theatre but rather (of one who suffers) from what is represented in theatres<sup>15</sup> or from some troubles and from things that might cause the greatest despondency.<sup>16</sup> You have reached

14 It is unclear if Timocrates went to visit Libanius to talk to him about his problem or simply met him, for example, in the street. Libanius usually uses 'us' to refer to himself and those in his school. Here it might also represent the people of Antioch.

15 There is a distinction here between the pleasure that representations in the theatre might produce and the pain derived from experiencing the kind of disastrous events that could be represented in tragedies. Timocrates therefore has the dejected countenance of a veritable Oedipus. In late antiquity tragedies were rarely played in their entirety. Mimes and pantomimes represented tragic scenes with dances. At the beginning of this oration the theatre is a major theme, even though this speech does not deal directly with theatrical representation but is concerned with acclamations to officials.

16 As usual, Libanius pays close attention to the emotions. The peripatetic philosopher Andronicus of Rhodes (first century BCE) in *On the Passions* 414 considers ἀθυμία ('despondency') a kind of λύπη ('grief' or 'pain') and defines it as 'the pain of someone who loses hope of obtaining something he wished for'. Here in fact Timocrates is deeply

such a point of misery, my excellent friend, because – as I have heard – you did not find the men who undertake that task making the usual acclamations.<sup>17</sup> I am not surprised that those people have done this, but rather that you considered this matter warranting such despondency. But, first of all, I wish to explain to you the reason for their silence.<sup>18</sup>

2. The matter is upside down, Timocrates, and some of those who are ruled wish to rule the rulers.<sup>19</sup> With this in mind, they have been able to make the governors crave their acclamations, while they sometimes grant this and sometimes do not. When they don't, they cause distress, and when they do, they elicit pleasure. They sell their cries for a fee, announcing what they want in return for their cries.<sup>20</sup> The one who longs for their cries can't help but grant everything. At such a high price these disgusting<sup>21</sup> men sell their cries! 3. They do this to those who have just entered office.<sup>22</sup> As they go up,<sup>23</sup> they enjoin one another to be silent and to restrain the rest of the

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disappointed at not getting the applause he thought was due to him. In *Or.* 39.2, Antiochus was so dejected that he was close to tears.

17 These are the men of the theatrical claque whose behaviour is the subject of this speech.

18 Silence versus words and speaking is a theme that occurs in the proems of many other orations in which Libanius bursts out and discusses an issue after the forced silence he has maintained in the past. See, e.g., the proems of *Or.* 38 (for a long time the sophist did not speak of the behaviour of Silvanus but now cannot maintain his silence); 62 (people criticized his educational system and finally he must speak); *Or.* 53 (he needs to talk to everyone about the problem of the banquets); 31 (he cannot maintain silence any longer on the difficult situation of the teachers). See also the strategic use of silence by Polycles in *Or.* 37.4 and 14.

19 Cf. similar expressions at *Or.* 51.4 and 12. Aristotle (*Politics* 3.2.10) considers knowledge of how to govern and be governed fundamental. Cf. Plutarch, *Agesilaus* 20.2, where children in Sparta learn the best of notions, to be ruled and to rule. In this case, the common people can grab their share of power by making the rulers subject to their approval.

20 Real acclamations are made by professionals, not by those men who apparently followed Themistius out of admiration (see introduction). Here, however, it seems that the word μισθός ('fee') does not mean a fixed amount of money, but the special requests addressed to the governor, which might be monetary or not. Note, however, in section 3, the word ἀργύριον ('money').

21 Libanius does not often use the word καταπύστος ('disgusting'), which occurs twice in this oration, here and also at section 11.15. He elsewhere reserves it for mimes (*Or.* 54.42) and for eunuchs (62 11).

22 From this it is clear that Timocrates was a new governor. However, the custom was not reserved only for those who had just entered office.

23 They go towards the theatre at Daphne. This verb is used a few times in this speech (twice in section 16) and refers to the fact that Daphne was at a higher elevation than Antioch



spectators with threatening gestures.<sup>24</sup> So the day goes on, and after those on the stage have made their display, they leave with no one complaining,<sup>25</sup> but to the governor this seems awful and a real misfortune. Sitting there he now blushes,<sup>26</sup> now becomes pale, he is silent for most of the time but when he chats with those close by he does not know what he is saying.<sup>27</sup> Then he announces something to those in whom he trusts<sup>28</sup> through the herald in the hope of shaking the quiet, but when they hear this, they are just as before they heard it. So what does the governor do in these circumstances? He looks for their leaders and asks them not to do this. Some governors even hand over money.<sup>29</sup> Once the leaders have made their promises and demands, an agreement is reached that they will applaud and he will grant everything. 4. According to this custom, they now have been silent and have employed the usual trick against you too, and this is the worst thing: they have won. It is clear in fact that if they have been able to humiliate you

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and so those who went to the theatre there had to climb the hill. See also the introduction for further comment.

24 In *Or.* 64. 59, 62–63 and 65 (*To Aristides for the Dancers*) Libanius calls the gestures of the actors νεύματα (literally ‘nods’), as here. In that oration, he is considering whether these effeminate gestures corrupted both the actors and the public with their imitation of women’s behaviour. Those gestures were not simply nods or shakes of the head but must have involved movements of the arms and hands (see Molloy 1996: 232). Likewise, in *Or.* 41.3, the men of the claque made gestures (νεύματα) to keep the spectators from applauding. These gestures were threatening but were effeminate at the same time in so far as they were typical of women. As Libanius says in *Or.* 64.62, ‘Houses are full of women and if they are full of women they are full of gestures’.

25 This observation is unclear because it seems that the actors would be disappointed by the overall silence. It is likely that Libanius here is referring only to lack of applause and acclamations honouring the new governor. The spectacles must have been mimes and pantomimes.

26 This is the deportment of an adolescent and not of a mature man. The whole scene reveals great powers of observation. It is a case of disappointed love: the governor went to the theatre looking for favour but in vain. The attention to physical details reminds one a bit of Sappho fr. 31.

27 The silence is catching. The governor is so embarrassed that he prefers not to talk with those who sit next to him. He feels that what is happening is a personal offence and shows a lack of faith in his capabilities.

28 The herald proclaims something of an unspecified nature to the spectators and specifically to loyal members of the audience but is unable to break the silence of the audience. It seems that the governor thought of this stratagem even though he did not have anything specific in mind before, but the measure failed.

29 This is an important detail. According to Libanius, money moves from one to the others at that very moment. But other governors promise favours.

by not acclaiming you and have enslaved you, when they stand up<sup>30</sup> and shout again they will have you following along and not opposing [them] in anything.

5. In time past I used to feel angry because of this and even now became angry, all the more so because a brighter hope of mine was shattered. I was convinced that you of all men would think nothing of their behaviour and would consider both acclamation and silence on the same level. But now you too have fallen<sup>31</sup> in our estimation since worthless things count so much with you. Of what value are the acclamations of people who from the time they were children to this day have lived a life of laziness and great baseness?<sup>32</sup> Don't you know them, Timocrates, particularly because you have spent so much time among us?<sup>33</sup>

6. All of these people are foreigners,<sup>34</sup> having come here with evil purposes after they were banished from their own countries by those whom they had wronged: some thrashed their fathers, others raised their hands against their mothers avoiding the trades for which their parents were bringing them up.<sup>35</sup> When they were young, they earned their living from their youth itself,<sup>36</sup> but when they became men and that resource failed them, they looked to support themselves from the theatre here. They got

30 The men stand up to make the acclamations. It is curious that Anastasi in his recent translation (1984) regularly omits the verbs for 'standing up' or 'going up' (see further, introduction).

31 'To fall' meaning 'to fail us'. It is another verb that points to movements up and down: the men get up to acclaim but the governor who has bought their cries sinks down.

32 A classic invective of the Four Hundred starts here and continues to section 7. These men are foreigners and were expelled from their cities. They abused their mothers and fathers and prostituted themselves when they were young, and on getting older devoted themselves to mimes and dancers. For a similar situation, see *Or.* 39.5, where Mixidemus brought his vice to his profession of the law. For invective in Libanius and in late antiquity, see Crihiore 2013: 95–116.

33 In this case, 'us' refers to Antioch and not to Libanius' school. Thus Timocrates had lived in the city for a long time. Later, however, Libanius says that in any case the custom of acclamations was a recent innovation.

34 Or at least Libanius says so, probably to exculpate his fellow citizens.

35 These were men of the lower classes who had to work as artisans. They probably came from families of the same class. Small artisans were helped by members of their families and sometimes apprenticed to them. Fathers trained their sons who then followed the same trade, but the laws did not enforce this and it was only custom (cf. *LRE*: 858–64).

36 Like Mixidemus in *Or.* 39 they could prostitute themselves when they were young and attractive. On growing up, they had to find another solution. In *Or.* 46.5, Libanius says that the men of the *clagues* were supported by the prostitution of the dancers.

up<sup>37</sup> and ran in their eagerness to live a life of laziness, but were only able to live by this means.<sup>38</sup> 7. Some of them devoted themselves to mimes, but the majority joined the dancers.<sup>39</sup> Their life consisted of serving these people, obeying them, flattering them, caring for them, adorning them,<sup>40</sup> being dependent on them, and doing or knowing nothing else.<sup>41</sup> The others supported them with money, sometimes more and other times less: less when they were idle and more when they danced.<sup>42</sup> Day and night they do every kind of shameful thing and aspire to reach an excess of shameful deeds; they believe in fact that they are strengthening their position most when they do readily things that decent people do not even endure to hear.<sup>43</sup> 8. Therefore they go up to the theatre not with the intention of giving acclamations commensurate with the performance but contributing as much shouting as they can, so that one who is not present at the actual spectacles but hears the shouts would not be able to distinguish the days when the dances are better or worse. 9. These men are no more than four hundred; some assist one [leader] and others another.<sup>44</sup> After corrupting themselves first, they also undermine the households of free people by hunting down<sup>45</sup> however many young men they can. They make them admire the same things as they do; when their parents are still alive, they

37 Another verb connected with upward movement (see introduction).

38 The representation of the scene is fast and represents a decision taken all of a sudden: the men look, get up and run.

39 The dancers in pantomimes. They danced to an accompaniment of pipes and flutes and the musicians sang too. In mimes unmasked actors (even women) performed with dialogues and crude humour.

40 Pantomimes wore masks with closed mouths (different from tragic masks) and wide eyes. They were beautifully dressed with long flowing robes (often silk) that were embroidered with gold (cf. Webb 2008: 61–62).

41 Only in the next section will the sophist mention the help these men give their protégés by inducing people to applaud.

42 The connection to the *pantomimi* was professional and continuous since the members of the *claque* received a retaining fee (albeit smaller) even when they did not perform.

43 Of course the whole picture of these men's activities is strongly coloured by Libanius' dislike. It is true, however, that all the sources stress the connection between dancers and prostitution.

44 Anastasi 1984: 254 is probably right when he thinks that the expression refers to the leaders. Thus the whole group is divided in two sub-groups. It is possible, however, that there were more groups.

45 The verb *θηράω* literally means 'to hunt' but was often used metaphorically with the meaning 'to chase after'. Themistius uses it frequently in his *Oration 23, The Sophist* (e.g., 23.288) with the meaning of attracting young men, particularly the rich ones, to make them pay money to follow his classes.

make them steal the family patrimony (as far as possible), and when they are dead, they make them betray their memory once and for all.<sup>46</sup> One may see that many a household has been ruined because of this. These people have also damaged rhetorical education because they have made some of the students lazier and have made others desert it completely.<sup>47</sup> But why should I try to do what is impossible, that is, to discuss all the evil things these people do?<sup>48</sup> I will say only this: our city is under accusation everywhere on earth<sup>49</sup> because of their insolent and disgusting behaviour.

10. So, Timocrates, do you think (as most governors do) that the acclamations of these men are a good thing? You would rightly regard as the greatest evil these acclamations that come from evil men. I think that a bad reputation among bad people and a good one among honest people are equal testaments to virtue. Who would consider you<sup>50</sup> better because of this? Which commander of nations?<sup>51</sup> Which prefect? Which captain?<sup>52</sup> Which general? Which emperor? Which council? Which farmers? Which soldiers? Since they have condemned these men's character, how could they regard their words as any good, even if they should be rather complimentary?

11. 'But, by Zeus, to be cherished by a city is wonderful, and this would

46 Anastasi 1984: 254 translates 'when the parents are dead, they immediately spend their inheritance'. I do not think this is correct. The 'betrayal of his father' who does not repay him for the good received appears in *Or.* 55.2 where Libanius describes the honour and gratitude that sons owe fathers. Contrariwise, in Demosthenes 19.310, there is the figure of the 'betrayal' of his children who does not take care of them so that they have to beg.

47 As soon as Libanius mentioned the damage done to young men it was evident where he wanted to go. In so many of his orations his preoccupation with his profession and his students stands out. He is elsewhere concerned that spectacles can make students lose interest in rhetoric.

48 Libanius uses a suggestive *praeteritio*: he is omitting details because the subject is supposedly too vast.

49 This is an exaggeration since claque did not operate exclusively in Antioch.

50 A series of short and breathless rhetorical questions that Libanius uses in each oration. 'You' is plural. At the beginning of the section, he said that Timocrates was behaving like other governors in regarding acclamations as a good thing. The rest of the section addresses governors in general.

51 Probably an important 'governor' considering the qualifying genitive 'commander of nations or people'. Libanius uses this combination very rarely and in *Ep.* 11.1 it indicates the governor of Palestine. This list of people is somewhat random since one would expect 'emperor' to be at the beginning. It is difficult to find a reason for this order.

52 The *λοχαγός* was a commander of a band of a limited number of men.

be a sign of love'.<sup>53</sup> So do you think that such people *are* a city,<sup>54</sup> these men who do not have countries, households and wives, and who do not have any good purpose in life except to be base and do base deeds?<sup>55</sup> This is the man who is truly loved by the city, the man who pleases all, the councillors and their children, those who are under review in offices,<sup>56</sup> teachers and students alike, those who work the land, those who offer their help to people who are on trial,<sup>57</sup> those who make a living for themselves from their craftsmanship or who sail for commerce. This man attracts all these people by what he does and persuades them to love him. But the man who is loved (let us admit this)<sup>58</sup> by these disgusting<sup>59</sup> individuals is not loved by the city – how is it possible? – but is loved by the city's sick members – whom it would be an advantage for the city to get rid of.<sup>60</sup> **12.** So how should these people who utter songs<sup>61</sup> before your chariots compare with the thousands who dwell in the city and detest what they do? If both these things happened to you, that these men wished you well but the better ones and the majority cursed you, how could you not be disgraced?

**13.** In addition, we have had many bad governors and only a few good ones:<sup>62</sup> these men were clearly silent before the latter but have sung these praises of the former; and yet neither did they take away the better reputation of the latter nor did they free the former from the worse reputation and replace it with a better one. So what is the value of acclamations? They

53 The response to this question is very rhetorical and is replete with anaphora. Libanius passes in review all the city of Antioch by showing all her classes and social groups.

54 Of course Timocrates could object that the Four Hundreds were able to stir up the members of the city who were sitting in the theatre.

55 After this very short invective against these bad citizens, the encomium of the good man follows.

56 That is, those who work in the public administration. Libanius twice uses this expression (τοῖς ἐπὶ τῶν ἀρχῶν ἐξητασμένοις) in letters to the governor Modestus (*Epp.* 110 and especially 105, where he refers to offices). It is possible that the verb simply meant 'to examine' (perhaps informally) an individual after he was chosen.

57 Advocates who argued cases that were ultimately in the hands of a judge.

58 This is not 'love' since it is bought with money and favours.

59 This is the second use of the adjective 'disgusting' (cf. section 2). Libanius finds these men repulsive.

60 This concept recurs in the epilogue, section 19.

61 There were many kinds of songs in Antioch, at weddings or in honour of the gods or songs of simple menfolk to honour officials (*Ep.* 842 = N149) but this is the only evidence for songs that the people of the claque sang before the chariots of governors. It seems that by 'songs' Libanius means rhythmical slogans.

62 For Libanius' attitude towards governors, see Cabouret 2002.

have already praised men who are good along with those worse than them, so that the better ones feel insulted if they got equal [praise] to those who are not their equals. **14.** Consider this, too, Timocrates. Not long ago there came from Rome to govern our city two men who were true gentlemen, just, mild, intelligent and devoted to culture.<sup>63</sup> They damaged the good reputation they received from others by considering the acclamations of these individuals a great honour. So now when a conversation about them comes up those who dislike them appear to have a point when they mention this, but if someone had persuaded them not to attach importance to acclamations they would now be completely free of blame.

**15.** But you<sup>64</sup> are so wrong in this matter and show such distress at the silence that you do not even hesitate to ask for acclamations by means of the herald,<sup>65</sup> saying to them, ‘But I don’t know you so well!’ and ‘What faults do you find as you sit there?’ and ‘Why are you silent?’ and ‘Show yourselves to me’.<sup>66</sup> When people ask these and similar questions, their response would be clear.<sup>67</sup> Thus approached, these men leap up<sup>68</sup> and throw

63 The identity of these officials is unknown. They were apparently excellent in everything except in their vanity. Sievers 1868: 262 pointed to *Ep.* 1018 where Libanius mentions two brothers who had a high position and were very cultivated. It appears that they were Roman and were learning Greek. The letter was written in 391 and so is too late to link them with this speech.

64 This section seems sometimes to move slightly away from Timocrates himself and his immediate experience. The initial plural pronoun seems to include other governors in addition to him. The second part of this speech, in fact, is an indictment of governors’ attitudes and their indifference in the face of immorality. However, the direct speech applies specifically to Timocrates.

65 The governor’s anxiety is such that he needs to come into contact with individuals he should leave alone to the point of diminishing himself. It is unclear what he makes the herald announce. Through him, he may have solicited a meeting or at least a conversation with the leaders of the clique and what follows suggests how he communicated with them. Cf. the mention of the herald in section 3. Heralds probably led the governors to the theatre and announced their presence. In *Or.* 52, a herald announced to the governor the arrival of visitors.

66 That is, come meet me or show me your intentions; Timocrates is ready to arrange a kind of pact that would eliminate the silence that so troubles him.

67 This phrase seems to be a general observation of the sophist who is now addressing governors in general. In *Or.* 33.12, the governor Tisamenus who did not receive any acclamations acknowledged his dejection verbally. The whole sentence is somewhat unclear and the adverb σαφῶς (clearly) is difficult. The general sense seems to be that the impudent behaviour and response of the claquers who heard what the governor said is the logical reaction to that show of weakness.

68 Notice all the expressions pointing to movements up and down (cf. the introduction).

down the governor as if in a wrestling match and insult him through what they enjoin him to do. They rouse him up from his chair and force him to do obeisance<sup>69</sup> before the city (they call themselves ‘the city’).<sup>70</sup> Some of you governors do one of these things, the first, but some actually do both.<sup>71</sup> I do not know how this practice came here, since it is certain that in time past nothing of the sort was said or done.<sup>72</sup> We neither saw the governors in such a state nor such hands<sup>73</sup> nor each of the spectators leaving with the conviction that he had taken the governor under his power.<sup>74</sup> 16. The theatre, therefore, enacts many deeds against the laws, and some people have been seized from there and put in chains because of few words uttered by few people.<sup>75</sup> The love of acclamations compels (a governor) to become a servant in every respect and among other things makes him run to Daphne to conduct the festival that brings innumerable evils to the city, because even young men who went up there with their self-control intact, came

69 The verb προσκυνεῖν usually means ‘to prostrate oneself’ before the image of a deity and is often used in inscriptions and in the papyri. These acts of obeisance are called προσκυνήματα. It is unclear if the passage is metaphorical or if the governor instead is literally getting down on his knees. He at least makes some kind of gesture of obeisance, such as bowing or sending a kiss. In Libanius the verb προσκυνεῖν mostly refers to an act of obeisance before Tyche or Asclepius (e.g., *Ep.* 1374), yet he sometimes uses the metaphorical meaning of ‘paying respect’ as in *Ep.* 80.5 = N46.

70 The phrase shows that the Four Hundred considered themselves citizens in all respects and identified with the other Antiochenes, in spite of the fact that they were foreigners. This also shows that their requests were political in character.

71 The meaning of the passage seems to be that some governors question the Four Hundred but others pay obeisance to them in addition.

72 It is uncertain to which time the sophist is referring. When he was young (and even before) acclamations were practised (cf. introduction). This may be one of those frequent observations of Libanius, the *laudator temporis acti*, meant to show that the past was better than the present.

73 Anastasi, *ad loc.* translates ‘hands’ as ‘violence’, but such an expression is unclear without a verb. In *Or.* 40.23, there is a description of a celebration in honour of a governor whom people accompany to his headquarters ‘with their hands and voices’. It is likely that here the allusion is to the fact that the spectators were waving their hands.

74 The governor thus obtains the opposite of his wishes. He wished for applause to show that his power was secure and evident to all and that he had the ‘love’ of the city, but his weakness empowered the masses. Now the ‘ruled rule the rulers’. The audience leaves thinking that it had won over him.

75 It is unclear whether Libanius is referring to particular cases. In general, he is right because people were brought to justice before governors who did not inquire about the accusations against them. Therefore the accused were subject to beating or whipping whether they were really guilty or not.

back after throwing it away.<sup>76</sup> I think that a certain good emperor<sup>77</sup> noticed this practice and squelched it, but it sprang up again and now it is here since those men<sup>78</sup> impose it, and you support it because you think that it is an auspicious event. One sees people continuing to go up there for five or even more days with shamelessness, and part of the responsibility for the feast is theirs, but part is also yours. And indeed if someone should ask you on your return from all these drunken carousals, ‘On what have you spent all this time? In what way have you improved the affairs of the city as you return?’ By the gods, what will you say? That there should be room for exceedingly disgraceful behaviour?<sup>79</sup>

17. But, Timocrates, you would not be forced to celebrate this festival if you had not imposed on yourselves<sup>80</sup> the obligation not to make any objection. Now, just as tamed lions<sup>81</sup> that have lost their freedom cower at the threats of their keepers, so you, who have lost your station, are led in fear of the silence of the Four Hundred. These people have become more powerful than those on the army roll, where acclamations are in accordance with the law;<sup>82</sup> they are more powerful than the Council itself and are honoured by you more than those who have spent all their fortunes in civic service.<sup>83</sup>

76 Libanius manifests his usual concerns about the morality of young people. Of course he had an invested interest in young men being well behaved and studious. See Julian, *Misopogon* 355c, where the Antiochenes supposedly say that Julian would not even allow young men to do what they liked and to revel. It is their independence (ἐλευθερία) that makes them carouse especially during festivals.

77 The mention of Julian at his point after the allusion to his critique of young men’s behaviour confirms that Libanius has the *Misopogon* in mind. See further, introduction on the reference to Julian.

78 That is, the Four Hundred.

79 A kind of cynical observation. There is no doubt that the governor and the crowd misbehaved, but this is sometimes a necessity.

80 Libanius is again turning to all governors who are timid and think that they cannot oppose the will of the people. The address to Timocrates allows him to go wider.

81 Libanius may have had in mind the tamed lion in Plato, *Republic* 589b or the two examples in Philostratus, *Life of Apollonius of Tyana* 3.22 and 7.30, an author he knew well. Besides lions or bears for games, the lion for him represents a strong, capable individual (e.g., *Epp.* 66.5 and 1441.4).

82 In Libanius there are lists (catalogues) of every kind, of gods, friends, peasants etc. In *Ep.* 400.7 there is an allusion to a soldier who was whipped and thrown out of the ‘catalogue’, the army roll, and this meaning seems to be correct here. Acclamations by soldiers were fairly common. Browning 1952: 18 points to the frequency with which they appear in the writers of the *Historia Augusta*.

83 Liturgies gave a good reputation to families and Libanius appreciated those who spent a great deal of money on behalf of the city. He was quite proud of his family, which was one



If you have this faction on your side, the rest do not matter. Then, once [your office] is terminated,<sup>84</sup> you realize that you have not become known to those you should have; you are in fact neglected by fine citizens in a situation that demands honours but condemned for all the attention you devoted to completely unworthy people.

**18.** Do you know that well-known man, Philagrius, who was governor and endured and escaped from that mighty storm?<sup>85</sup> When he went to the theatre once and saw that the performance was received with great silence, he left happy with himself, receiving the praises of right-minded people. Hearing that this was the custom of old – when the governor governed and the governed were truly governed,<sup>86</sup> and good things flourished and bad things were driven away – he imitated that. This is the excellent reputation he acquired, that this is what it is to govern. The first time he drew near, some of those people confronted him with a chant that referred to him.<sup>87</sup> But, after they sang the beginning of it, they were silenced when he said that there was no need of such nonsense.

**19.** I think that you should emulate these things and follow them, but especially, if it is possible, you should cleanse the city of this filth or else you should strip them of their present power. You would do this by showing that you feel shame at these men's acclamations.<sup>88</sup>

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of the greatest in Antioch, in 'providing shows and games' (*Or.* 1.2.). Yet liturgies could also be assigned unfairly to those who did not have the means to bear them. Among these, there were some students of Libanius who had to leave their studies, and in such circumstances the sophist viewed civic service in a negative way. On the impact of liturgies on students, see Criboire 2007a: 215–16.

84 There is a lacuna in the manuscripts: τῆς ᾗ that Foerster supplements as τῆς ἀρχῆς. I follow this text. Governors are satisfied by their behaviour when they are in office and receive applauses but when the office ceases they realise that they have failed to meet the requests of the good citizens.

85 Philagrius 2 was liked by Julian and accompanied him to Persia. He became *comes Orientis* in 382 (cf. *CTh.* 8.5.41). In *Or.* 1. 206–211, Libanius mentioned that after reaching this post Philagrius wished to resolve the situation with the bakers but ended up taking violent measures against the commons.

86 A concept that occurs sometimes in Libanius (e.g., in *Or.* 33.11).

87 This time the song was unlike those they sang before the chariot of the governor (which were supposed to be complimentary) and it may have been a satirical one.

88 Libanius very often writes very short epilogues that do not add much to the rest of the oration.

## **ORATION 39 (BEFORE 384), CONSOLATION TO ANTIOCHUS**

This speech is a consolation, a traditional epideictic oration usually written to comfort those who had been bereft of loved ones. The word ‘consolation’ frames the speech, *paramythia*.<sup>1</sup> Menander the Rhetor says in fact that ‘the speaker of the consolatory speech laments the fallen’ (*Treatise* II 9, 413 (Russell and Wilson 1981)). As the proem shows, however, Libanius expands the content of a typical consolation speech, because he addresses those who grieve for other reasons: in this case a rhetor who was afraid of a competitor and concerned for his own professional status. Though the sophist wrote some monodies that contained consolations (60, *For the Temple of Apollo*, 61, *For Nicomedia* and 17, *For Julian*), on only one other occasion did he compose a proper *paramythia*, when he wanted to console the governor Timocrates for his unpopularity in the theatre (*Or.* 41). As in other orations (for example, in *Or.* 37) the sophist reveals an intimate knowledge of the human soul. He is personally aware that people suffer not only because of the death of relatives and friends but also (and sometimes even more) from different kinds of pain such as damage to their status and profession. Rhetoric was Libanius’ deepest concern in the first part of his life when he competed with other rhetors to become the official sophist of Antioch, replacing his teacher Zenobius. Even though the death of his son Cimon and the loss of friends and relatives dominated his old age, he continued to be concerned for his profession and to fear the defection of students who wanted to learn other disciplines such as Roman law, Latin and stenography.

*Oration 39* was offered as a medicine (*pharmakon*) to heal the wounds of the rhetor Antiochus. It is written with care and is replete with rhetorical embellishments (perhaps because it addressed a rhetor). It is impossible to know whether it was performed before a great crowd (according to the theory of Paul Petit (1956), who envisaged a large audience for epideictic

1 Cf. the noun in section 1 and 2 and the verb παραμυθεῖν (console) in 24.

speeches) or before a selected audience. The topic of the speech seems limited but the invective might arouse an audience's interest.

The date of this speech is uncertain. Reiske, who thought it might mention the prefect Proclus 6 (see note to section 4), claimed it was written very late but Foerster rejected this identification and dated the speech to before the year 384. He reasonably identified the Antiochus of *Or. 39* with Antiochus 9 in *PLRE I*, that is, the man who is mentioned at a later time in *Or. 27.10*, which dates to the year 385. In *Or. 27*, Libanius tried in vain to recommend this man for office to the *Comes Orientis* Icarius. Instead of sending a letter of recommendation, he visited the official (despite his condemnation of the practice in *Or. 51* and *52*) and praised Antiochus as an honest man, who was not a flatterer, and was a good rhetor. He protested that his praises were sincere and that Antiochus was better than anyone else holding office and was not worse than Libanius himself as a teacher of rhetoric. Libanius forcefully proclaimed his sincerity saying that he would die at once if he lied. Years later Libanius mentions presumably the same Antiochus in *Or. 57.2* (*Against Severus*), which should be dated between 389 and 390 according to Casella (2010: 73–74, 93 and 195–96). Antiochus was apparently part of the entourage of the governor Severus 14 and begged the sophist not to be angry at the governor and to be reconciled with him. It appears from the correspondence that Antiochus had studied with Libanius and was the father of a young man who was called Libanius in honour of the sophist and who joined his school in 391. By that time Antiochus had died and so the sophist addressed his letters to his father, the grandfather of the young man (*Epp.* 1020 and 1034 = R133 and 134). In these he regretted that Antiochus could not bring his son to school and recognized in the young man the features shared with his father. What seems certain is that *Or. 39* was composed before 385 but it is impossible to say exactly when. In any case, in this oration Antiochus appears to be a young, unsure rhetor probably at the beginning of his career. Norman (1969: 2.liii) dated this speech with some uncertainty to the early 380s but an earlier date is possible.

Robert Kaster (1988: 383–84) tentatively considered Antiochus a grammarian (no. 184 in his prosopography) but in my opinion there is no reason to change his status. At the end of the speech (section 24), when Libanius says, ‘you have your tongue and a gift from the Muses as great as could come from the Muses’, his words might equally well refer to a rhetor since the Muses together with Hermes protected rhetoric. The reference to Archilochus in 39.24, moreover, does not suggest that Antiochus was

a grammarian interested in the poets. Besides the fact that poetry was of fundamental importance for rhetors too and continued to be studied, rhetorical speeches of invective often mentioned Archilochus (see note at section 24).

This oration shows that Antiochus was quite concerned because a man called Mixidemus favoured another teacher of rhetoric and promoted him in every way, supposedly damaging Antiochus' interests. The name Mixidemus occurs rarely in the ancient sources. The grammarian Harpocration (*Lexicon in decem oratores Atticos*, a lexicon on ten Attic orators) mentions that Lysias composed a speech *Against Mixidemus' Public Action* but nothing of the content is known and it is impossible to know whether Libanius was inspired by it (Lysias, fgm. XCI, 181). Around 340 BCE, another Mixidemus of Myrrhinous is mentioned in an inscription (IG II2 1582) as a man whose property was confiscated. His name was inscribed on a list of public debtors on the Acropolis of Athens (Hunter 2000). Reiske rightly surmised that Libanius used a fictitious name, a pseudonym. As such, the name Mixidemus seems well chosen and fits his character (*ethos*). In all its nuances the Greek verb 'to mix' appears to be appropriate for him: it might mean 'get acquainted with' in a positive sense but also in a hostile sense. Mixidemus mixed with people and was an expert in making a nuisance of himself. He tried to profit from every occasion and all people. In section 14, moreover, Mixidemus 'is mixing' slanders as he drinks wine and defames people. At the beginning of the oration Libanius seems to point to the sexual meaning of the term, that is, 'to have intercourse', as he presents Mixidemus as a catamite and a male prostitute. This sense reappears at the end of the oration when Mixidemus is said to have sexual contacts with members of his family. This speech portrays a blatant escalation in vice.

Even though the name Mixidemus was probably a pseudonym, it is likely, but not certain, that it masked a real person against whom Libanius wanted to launch his strong invective. Other works of the sophist show that he occasionally used pseudonyms. Libanius himself had a nickname, Epicharis (the Charmer), in *Or.* 2.19–20. The Plato who is mentioned in *Or.* 40.6 seems analogous to the sophist Zenobius, who is also called Plato in *Ep.* 405.4 = N6. Libanius repeatedly called Proclus 6 Coccus and Anatolius 3 Azutrition. In *Ep.* 1406 = N110, Libanius mentions 'the man with the nickname from the sandal'.<sup>2</sup> Several factors suggest that *Or.* 39

2 Cf. *Or.* 40 and note to section 6.

addressed a real enemy whom the sophist tried to disguise: the presence of Antiochus who was a real person and his troubles credible because of the competition with another teacher; the abundance of realistic details that do not point directly to an exercise; the reference to a student of Libanius, and lurid, precise details that go beyond traditional, generic invective. And yet, even though Libanius meant to hit a real person, he piled up offences in an incredible way. In this oration, Mixidemus appears as one of those patrons whose behaviour is discussed in *Or. 47, On Patronage*, which denounces the system of protection that army officers and the council's *principales* (the wealthiest members) ran, to the detriment of peasants especially. He is an advocate who had some official posts, beleaguers people including women, dominates the countryside and peasants, and has his way in court. He was apparently from Egypt, a country from which some antagonists of Libanius came (see, for example, in *Or. 40*, the official Domitius who had his sons educated there and who hired an Egyptian poet whose presence the sophist found offensive).

After showing in the first part of the speech the dishonesty of Mixidemus in many areas as he enriched himself at the expense of others, in the second part, section 15 and later, Libanius focuses on a dark family business in which much is left unmentioned and invective reaches a climax. Mixidemus had apparently married the daughter of a man who had died. She had two brothers and the man's wife was still alive. Though Mixidemus had promised initially to protect the young brothers of his wife, he turned them one against the other and they apparently died in obscure circumstances. Libanius seems to hint that either they killed each other or perished in some kind of accident caused by their mutual enmity in which Mixidemus was somehow involved. As a result, Mixidemus was able to seize their inheritance. How he did is incomprehensible and seems very difficult from the legal point of view, unless through some scheme he was able to convince the two boys to include him in their will.<sup>3</sup> The mother of these two boys naturally did not inherit anything at her husband's death since wives usually received only a usufruct from their husband's estate as long as the children they had in common were still minor (cf. Yiftach-Firanko 2006). The daughter probably received her part of the inheritance in the form of a dowry upon her marriage to Mixidemus but the two boys were the main heirs of their late father. Since they did not have children yet, when they died their sister was the

3 I thank Dr Sabine Hübner for helping me to disentangle the legal issues.

legal heir together with their mother who, according to a decree of the senate (*senatus consultum Tertullianum*) had the right to inherit because she had had at least three children (AD 117–38, Dig. 38.17.5 pr.-1 Paul; see also *Tit.Ulp.* 26.8). Women with three children had some privileges even before with the *leges Iuliae* but under Hadrian they could inherit from their children, though not until Justinian could they inherit without the *ius trium liberorum* (law of three children). What might have happened in this case is that Mixidemus' mother-in-law died – Libanius in fact never mentions her again – and therefore Mixidemus gained control of what his wife had inherited since this woman appears weak, silent and unable to react in section 21. The situation is further complicated by the appearance in section 22 of a brother of Mixidemus' wife. Thus another possibility is that she had become the sole heir because her mother had remarried and that this was her half-brother.

**Oration 39** contains the choicest invective of any of Libanius' speeches and includes customary *topoi* as well as additional slanders never mentioned by any rhetor. The accusation of homosexuality and prostitution at a young age appears in other orations of Libanius (e.g. **Or. 37** and **38**) and may go back to classical invective (see, e.g., Aeschines, *Against Timarchus*). **Or. 39**, however, is much more daring. Mixidemus is in fact accused implicitly of having caused the death of the two brothers of his wife, having pursued the sexual favours of a student of Libanius who lived in his house, forcing the young man to move elsewhere, and of playing sexual games with the wives of his two sons. The climax of the invective reveals further surprises. Not only did this man sell the sexual favours of one of his sons to another man (thus imitating Phrynon's behaviour in Demosthenes, 19) but he also had an incestuous relation with his own son.

The classical oration closest to this is *On the Mysteries* (124–29) of Andocides, though the slander there is much milder. The sexual accusations concern a wanton man, Callias, who marries a young girl but then 'marries' her mother too, with whom he has a son whom he does not recognize as his own. After mother and daughter leave the house, he has relations with an older woman of dubious reputation and tries to marry a young orphan. In this speech, Andocides declared that something so shocking had never happened in Greece before, but the situation that Libanius evokes with explicit details or implicit insinuations is much more scandalous because it also involves incest. The intricate kinship relations of **Or. 39** may call to mind another of the orations of Lysias, *Or. 32 Against Diogeiton*, which has a much less slanderous plot.

As in other speeches of Libanius (for example, *Or.* 40, 37 and 63), one of the themes that emerges in 39 is that of friendship, how true friendship differs from false friendship and how one should guard against the latter. Not only should Antiochus protect himself from the friendship of Mixidemus but other people should be on guard too. Mixidemus exhibits different forms of disloyalty not only in his relationship with Antiochus but also towards his wife, her brothers, his sons' wives and his young son.

Libanius' profession and his interest in teaching rhetoric emerge from this speech as from some others whose main topic lies elsewhere (for example, *Or.* 40 or 37). He sympathized with Antiochus' damaged interests as a teacher and fear of losing students. He knew well from experience how dangerous competition among teachers could be. In section 17, moreover, he protects a youth whose favours Mixidemus tried to gain. This young man had come to Antioch to study and like many other students around the Mediterranean rented rooms in a private house. The papyri from Greek and Roman Egypt show similar situations, with youths studying in large cities such as Alexandria or Oxyrhynchus and staying in the houses of family friends who were sometimes unscrupulous, though they did not reach the excesses of Mixidemus (Cribiore 2001: 115–18). Antioch was a major centre for rhetoric and Libanius was the official teacher of the city, though in this case we do not know for certain if the young man from Cyprus attended his school. Libanius was notoriously afraid of Roman law as a competing field of study and opposed some of his students who gave up rhetoric too early to go to Berytus with the intention of learning it (cf. Cribiore 2007a). In this oration, however, he implicitly approves of the decision of the young Cypriot, who may have completed his training already.

Available editions are those of Reiske (as always, difficult to find), who successfully edited the oration from a codex of the tenth century (Monacensis gr. 483 = Augustanus), and Foerster. There are no published translations in any language.

## SYNOPSIS

Apart from a short proem and epilogue, the whole oration consists of a long narrative concerned with the dishonesty and wickedness of Mixidemus. This is sometimes interrupted (sections 4, 7, 16, 18, 22) by very brief addresses to Antiochus exhorting him to avoid the friendship of that individual.

1–3 Proem, consolation.

4–22 Narration. Libanius tells the story of Mixidemus in a long invective.

(5–7) He was a corrupted young man who prostituted himself, continued to do it when he became a lawyer, was a liar and perjured himself.

(8–9) He became rich as a result of ignoble actions, sold his services to some women and took advantage of them.

(10–14) He exploited people as a patron, was unjust in the courts, inconvenienced the governor and obtained produce, money and gifts from everywhere.

(15) A dark and complicated affair; as a result, Mixidemus was able to grab the inheritance of his wife's father.

(17) He courted the favours of a youth from Cyprus.

(18–22) He sold his son; made sexual advances to the wives of both his sons and became the incestuous lover of the younger one.

23–24 Epilogue. The city might be punished because of him and Antiochus should protect himself.

1. I think it is appropriate to make speeches including consolation not only for those who mourn children, wives, parents or others but also for those whose pain derives from different sources. So since it is necessary to help people who are in pain, then it is worthwhile to help them all, just as we see that doctors treat all wounds with medicines. I know that even greater pain has come to some from causes other than death so that one must duly console them more than the others or, if not more, at least not less. 2. I observed that you, Antiochus,<sup>4</sup> are oppressed by a great pain and refrain from crying only with much effort because Mixidemus is allying himself with a certain teacher<sup>5</sup> but goes against your

4 On Antiochus 9 *PLRE* I, see introduction. Cf. Sievers 1868: 263–64, the excursus (not always correct) on him. Sievers did not date this speech.

5 Reiske, *ad loc.* thought that this διδάσκαλος was not a real teacher but an advisor and perhaps Proclus 6 himself, and interpreted the expression 'the latter' at the end of section 4 as referring to Proclus. Foerster rightly dismissed the interpretation. Several of the orations



interests.<sup>6</sup> I will, therefore, address to you this consolation, in the hope that you can be convinced that fighting is to your advantage while an alliance is detrimental to him (the teacher).<sup>7</sup> 3. Who among us doesn't know that to have good friends is good for those who have them but to have base ones is bad? This is sufficient to prove that one who has bad friends is bad. So, for example, those who accompany (in song) the pantomime dancers together with some women and who do not differ at all from those women<sup>8</sup> would be so very glad indeed to be and appear to be your friends, spend time with you, dine with you and accompany you wherever you go, but you would avoid this and fear it and would not accept it for 10,000 talents.<sup>9</sup>

4. And now then do not consider only that Mixidemus has chosen the interests of that man, or that, intruding into many households, he now sings his praises to widows, but also keep in mind what kind of man the Mixidemus who does that is. For if you do, you would pray to the gods that he would add to his present praises and would offer more and greater tributes to that man. I see that not even that man<sup>10</sup> much enjoys what he receives from him since he has known Mixidemus' ways for a long time.

5. But even if that man should value this highly, do not let it bother you and do not believe that your affairs will be the worse for it. This man, Mixidemus, started to be bad from childhood, though he had been in

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of Libanius, in fact, concern teachers and students (cf. also the introduction on those in this collection). The alliance with a teacher is one of the concrete details in this speech.

6 With *πράγμασι* (things, interests) implied. This expression (simply 'your ones', *τοῖς σοῖς*) could also mean 'your students and teachers in your school' (if Antiochus had a school similar to Libanius'). Cf. the remark about his students in section 16.

7 Mixidemus' alliance with the teacher is not going to do any good to that teacher.

8 In the fourth century, the chorus that sang the text that the pantomime dancer impersonated also included women. Women's participation then started to become more frequent (cf. Webb 2008: 62–63). By saying that these singers were not different from women, Libanius implies that they were eunuchs, or at least he slanders them as such. He frequently rants against the pantomime dancers (e.g., *Or.* 56.15, 16, 23 and *Or.* 46.31), who were apparently very influential in the city and quite corrupt in his view.

9 Cf. *Or.* 13.35.2 for a similar, but not identical, expression. The phrase *μυρίων ταλάντων* (10,000 talents), which sometimes appears in classical writers such as Dio 2.37 1, is extremely frequent in Christian authors, especially in John Chrysostom, in reference to the parable in Matthew 25:14–30, where the master entrusted his servants with various amounts of talents. Because of the mention of the talents Reiske supposed that Mixidemus was now Christian. He may have been but the evidence is almost non-existent. Cf., however, section 16 and note.

10 Reiske, *ad loc.* surmised that the words 'that man' did not refer to the man Mixidemus praised but to Proclus 6, who was prefect of Constantinople in 388–92, and he therefore dated the oration quite late. From the mention of the gods it appears that Antiochus was pagan.

no way decent even for a few days, and he has reached old age in utter depravity. He made money from his body in Egypt, himself inviting all those who could pay, and did the same in Palestine, and his beard did not prevent it.<sup>11</sup> Even when he became an advocate, he did not cease to profit from this activity but received pay for his services in two ways, from above and below, by soliciting some soldiers and harassing others.<sup>12</sup> He was of average ability as a speaker, but his power was above average for the reasons I explained. 6. I am passing over how he obtained official posts, but when he got them he could not be judicious even in that position. He had the herald, the men in service,<sup>13</sup> the belt of office, the sword and the power of justice, but even with all this he could not become a man; what he was as a student he was as an advocate, confounding all the laws of Aphrodite,<sup>14</sup> born a man, he added on the other sex,<sup>15</sup> debauched many, and submitted himself to more. 7. Are you sorry then that such a man is your enemy? You should actually have been sorry to have as a friend someone who, apart from what I have said, spent all his time uttering lies and perjuring himself, worshipping and insulting the same gods, saying one day that they are great and the following day that they are nothing, and then retreating into the feeble excuses that he was not impious of his own will.<sup>16</sup> He could do anything by flattery: since he seeks power but

11 Festugière 1959: 198 translated sections 5 and 6. Mixidemus was growing a beard, that is, he had reached adulthood when prostitution as a catamite was considered even graver.

12 These were services as a lawyer through his mouth and eloquence but also from sexual activities. Libanius does not regard soldiers highly, even though he recognizes that they often were not in a good financial situation (e.g., *Or.* 2.37 and 47.32). By the term 'soldier' he also sometimes means officials such as the *agentes in rebus* (imperial couriers) in *Ep.* 362.6 or the 'soldiers' around the governor Modestus 2 in *Ep.* 169.1. Cf. below section 6.

13 The term στρατεία means 'service in the administration.'

14 Aphrodite *παρὰ νόμος* ('unconventional, abnormal'), who rules over improper sexual relations, occurs again in *Or.* 64.84 (*For the Dancers*) in which Libanius, vying with Aristides, attempted a defence of pantomime dancers. He certainly knew Aristides' attack on them which is now lost. These dancers were accused of homosexuality, among other things, but Libanius argued that dancing did not have anything to do with that and that 'those who were doing wrong to nature' did it because of their own inclinations. Libanius seldom mentions the goddess Aphrodite among the gods.

15 By behaving as a homosexual.

16 Reiske, *ad loc.* thought that Mixidemus was pagan under Julian, Arian under Valens, and orthodox under Theodosius. He considered the mention of the talents in section 3 as an indication that Mixidemus was Christian at the date of the oration. Libanius here portrays him as an uncertain pagan and a Christian at a certain point. This was an age of uncertainty so that some people remained in the 'grey' areas of allegiance. Conversions (either only for convenience or real changes of religious allegiance) were frequent in the fourth century.

cannot get it through just means, he attempts to be somebody by flattering in every way.

8. Do not let all his wealth and possessions impress and deceive you and do not believe that they are reward of virtue. They are the repayment of efforts, labours, words and deeds that are ignoble, and an honest man, shunning them, would often accept death rather than bear any such things. He has sold his services to women who own many slaves, then removes each of them from his position and takes his place.<sup>17</sup> He is never satisfied with what they give him but always asks for more, begs to get it by touching hands and feet and swears that he is in debt though he is not, telling in tragic style of creditors' harshness that does not exist.<sup>18</sup> 9. Once a woman of a noble family was barely starting to touch her meal,<sup>19</sup> in the company of only her women servants, and this man mounted the stairs as fast as he could, fell at her knees and started to say that he had escaped from the hands of tax collectors, and that she was his only hope.<sup>20</sup> The woman, ashamed at her condition and unable to bear his impudence, gave some money, but on giving asked that this be the last he received. He promised not to inconvenience her any more but was there again early at daybreak: and again her face, again her hands, again her knees.<sup>21</sup> He did not lack allies, for the servant girls helped him, constrained by what he constrained upon them.<sup>22</sup> He was not a man of such a sort there only but better with other women, but he was the same in every house he entered, and there were many of them, and everywhere there were many servants, everywhere there were entreaties and everywhere money taken but nowhere was it enough.

17 Mixidemus tries to serve these wealthy women in every way so that they become grateful to him and in turn he can ask them for favours, behaving in a servile way.

18 He begs for money to obtain relief from supposed debts which are not real. The verb *τραγωδεῖν* (use a tragic style or declaim) hints at the fictional character of Mixidemus' complaints. The harshness of creditors was a reality (cf. Themistius, *Or.* 23.289a on the harshness of public exactors).

19 The phrase probably means that she had barely touched her food when Mixidemus interrupted. He was, therefore, even more bothersome.

20 This woman may have been a widow judging from the ease with which Mixidemus approaches her and because her husband is not mentioned.

21 In Homer very often people make a supplication by touching hands and knees. The situation here is unusual because the woman is alone without her husband and that is why she is ashamed at her condition. Ammianus criticized noble people and senators in Rome who out of pride declined to have the head kissed and offered flatterers only knees or hands (28.4.10).

22 Mixidemus constrained the servants probably by giving them money or favours of some kind, or threatening them, and they became his allies.

10. This miserable fellow also slaves for the farmers since he took over a service that previously supported the governor's agents and which caused their ruin.<sup>23</sup> And so those farmers who cultivate good land in the foothills farm for Mixidemus rather than for themselves.<sup>24</sup> He is not worried about the seasons, but the produce for the tributes must be sound for him whatever happens.<sup>25</sup> For indeed much wheat and barley come to him, and much produce of all kinds. In addition, the farmers' wives cook women's dishes for him which make Mixidemus' meals grand.<sup>26</sup> 11. He is not ashamed of the poverty of those who have come to it because of him, but letters go back and forth from the fields with various requests that it is not possible not to fulfil for him but it is necessary to jump up and be one of those who have given.<sup>27</sup> A lot is little for him. In addition, he insinuates himself into other villages, the large ones,<sup>28</sup> often for only one plethron<sup>29</sup> for which he has cheated on the price and expects to have the whole thing with his small piece and threatens to harm men who are inexperienced in affairs, if they do not comply with everything.<sup>30</sup> 12. Furthermore, the man discovered another and more unjust source of income:<sup>31</sup> judges, tribunals and trials.<sup>32</sup> He commits himself – sometimes in a prosecution and sometimes in a defence – to litigants who do not have a wholesome case and, rushing into judgments, he tries to force not what is right but

23 It seems unlikely that Libanius (who is always harsh with them) sides with these agents, saying that Mixidemus caused their ruin; he perhaps means to say that the job of tax collectors caused their ruin. It was a very difficult service and maybe he implies that these men were not as ruthless as Mixidemus. We are now entering upon the main subject of *Or. 47 On Protection Systems*. Another possible solution is that the object of 'ruin' are the farmers.

24 He was so greedy that he got all the produce.

25 Mixidemus did not care if unseasonable disasters ruined the crops. He was heartless and required the farmers to pay anyway.

26 It seems that the wives of the farmers cooked for Mixidemus making special dishes for him. On people sending governors special, expensive food to induce them to listen to their requests (cf. *Or. 51.8–9*).

27 Mixidemus continues to make demands on the farmers and they cannot avoid obeying.

28 These villages were the most coveted. Libanius mentions them in *Or. 47.4* and 11 and 37.2. Cf. Petit 1955: 307. The large villages were more important than the small ones because the small free landowners lived there and they often went to the city and participated in activities. In *Or. 11.230*, there is a complete (though idealistic) description of these villages.

29 One plethron contained four *arourae* of 2,500 square feet each.

30 Mixidemus tries to buy land at an unfair price.

31 Libanius uses the term γεωργία (farming) metaphorically but in this case it is a very apt expression after the preceding sections.

32 The Greek has a series of alliterations that is impossible to replicate exactly.

what is profitable for him to prevail; he either achieves it by asking for it, or uses force by threatening slander: so entirely does he control good or bad repute. And some, intimidated by these measures, were defeated, but those who stood their ground were reviled.<sup>33</sup> **13.** This is what brings him to the courts, what takes him there and makes him leave. It is not amazing if he is part of one or other court ten times a day.<sup>34</sup> He knows how to be a nuisance at night too; he has often gone to the governor while he was in bed so that he would first hear from him before he goes to the bench.<sup>35</sup> From each of these he gets money, gold, a garment, a slave, a horse and all that pleases his belly. **14.** Antiochus, didn't you hear some governors have screamed that their office won't be able to safeguard all that is necessary, unless someone strikes down this pest? In addition to the other iniquities, he sets the military commanders against the judges, subjecting them to himself with gifts and so setting greater powers against lesser ones<sup>36</sup> – in one case, venison, in another, hares or lots of wine, and many types of fowl. On account of this, when they have lunch he wishes to be with them each day and makes sure that he is there. Then he mixes slanders against those judges who do not comply with him in all things, drinking and defaming at the same time.<sup>37</sup> By all these routes he profits. These are the schemes that pulled this despicable man out of his former poverty.

**15.** The inheritance of a certain man came, I think, from the same type of scheme, or actually from an even more shameful one.<sup>38</sup> His inheritance was

33 This seems to be the logical meaning, but this expression (εἰς λοιδορίας ἤκον), which occurs only here, is difficult. The MSS are uncertain.

34 I translate Foerster's emendation ἐκατέρων. The reading Foerster rejected (ἐκάτερον) is also possible: 'each of these things (entering and leaving) happens ten times a day'.

35 Mixidemus is one of those people who visit the governors to obtain favours and who are criticized in *Or.* 51 and 52. On governors besieged and deprived of sleep, see *Or.* 51.4 and 52.6 and 10.

36 The power of the judges is then diminished because he sets against them the military by making it stronger. Cf. *Or.* 47.7 on the violence and threats of these individuals. In addition to the head of the military, the *dux*, there were στρατηγοί (his subordinate officers).

37 Instead of tempering the wine with water, as, e.g., in Homer, *Odyssey* 1 110, Mixidemus mixes slanders into the wine. Libanius insists here on the origin of this pseudonym.

38 With this and the following sections an obscure episode mentioned in the introduction begins. Libanius hides the identity of the man whose inheritance Mixidemus was able to grab, in fact his father-in-law, whom he mentions immediately after. He uses the expression ὁ δεινός ('so and so') when he does not know or does not care to reveal the name of someone, e.g., in *Or.* 32.22.11 (the name of a teacher) or *Or.* 37.14.3 (the name of the man who summoned Helpidius from Rome, with whom the latter had a homosexual relationship).

the fruit of what they did with one another in the shadows, granting and receiving everything.<sup>39</sup> He became the heir though the mother and sister and her children were still alive. When he married their sister, he promised that he was going to be a wall of defence<sup>40</sup> for the sons of his father-in-law but was more destructive than all war machines in throwing down and demolishing. And, worst of all, [he did it] by way of each other, he turned them against each other with slander, slandering this one to that and that one to this, goading that one against this and now this one against that, loved neither but always sided with one or the other, and made his own villainy prevail over natural bonds.<sup>41</sup> Those who now grieve for the brothers' strife curse Mixidemus who caused such war, saying that these two fine and educated men would have never reached such a degree of contention if one of the gods had struck down Mixidemus beforehand.

16. Why, then, Antiochus, did you wish for a man of such kind to be your friend and supporter?<sup>42</sup> How could one have said anything worse about you than: 'That fellow Antiochus pins his hopes for his own affairs on Mixidemus' character'? Shouldn't you naturally be grateful to the gods for the fact that you hate him and are hated in return?<sup>43</sup> Shouldn't you consider the harm he caused you in connection with your students a benefit?<sup>44</sup> It is better to be ill-spoken of by bad people than the opposite.

17. You would learn that Mixidemus is bad from this fact too, if you do not know it already. There was here in Antioch a young man from Cyprus, fair,<sup>45</sup> handsome and of a prosperous family, who used some rooms in this

39 With this obscure expression Libanius seems to allude to something illicit, perhaps of a sexual nature, that went on between Mixidemus and the two brothers.

40 Cf. *Ep.* 1038.2 = R124 regarding a former student's support for another student of Libanius who was helped in every way.

41 It is obscure how the brothers died and if they really died or became somewhat incapacitated. It seems that the goading of Mixidemus prevailed so that they became each other's enemy and forgot their natural bonds of affection. Then they disappeared from the scenario and Mixidemus was able to grab their money. Since he became an heir, it is likely that the two brothers died.

42 This section is all about the characteristics and requirements for friendship.

43 Antiochus seems pagan and the ending of the previous section may be a very vague hint that Mixidemus was Christian since one of the gods was going to punish him. It is true, however, that these expressions are rather commonplace.

44 By supporting another teacher, Mixidemus made Antiochus lose students because he was powerful enough to discredit him successfully. The mention of students leads into the next section on damage done to a potential student of Libanius.

45 The adjective λευκός as applied to human skin (usually of women) with the meaning 'white, fair, and young' already appears in Homer (e.g., *Odyssey* 23.240). See also the

fellow's house through the latter's requests to the youth's grandfather.<sup>46</sup> At the same time, through his promises, Mixidemus said that his house was going to be for the young man like his family home so that he would seek for nothing which he would not have at once. He did this, however, with the intention of harvesting the produce of the island (of Cyprus) and for something else too.<sup>47</sup> This drove away the youth from there since he could not bear his advances in the small baths<sup>48</sup> and everywhere in the house. When Mixidemus had the boy close by he persisted. He made him leave because of what I said and now Berytus has the youth: it is not a self-controlled city yet the boy thought that he would be among more sensible people, since there wouldn't be anyone there who was another Mixidemus.<sup>49</sup>

**18.** Keeping this in mind, Antiochus, you should pay homage to Fortune to thank her for this man's hostility.<sup>50</sup> And this is not all, but I could go into other things, even more insolent than what I have mentioned. Mixidemus does not let us doubt the veracity of the story of Phrynon, since now he has received money for his son as Phrynon did long ago and calmed his feigned anger over what had been done with such a truce that both could

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epithet 'with white arms' used for women such as Helen or Nausicaa. The tragedians used it frequently (e.g., Euripides, *Medea* 1189). Libanius used this adjective to describe a handsome student in *Ep.* 1408 = R30 and refers there to Demosthenes, *Meidias* 71, where the orator used the term 'dark' in a disparaging way for a wrestler.

46 This is another example of how grandfathers in antiquity were influential in the life and education of their grandsons. One of those was the father of Antiochus who raised his grandchildren when his son died at a young age.

47 Libanius probably employs here the verb *τρύγῳ* (gather fruit) with the sexual connotation used with regard to the bride in Aristophanes, *Peace* 1338 in the final wedding song. It appears that Mixidemus wanted to take advantage not only of the young man's sexual graces but also of his wealth.

48 This might be a bath annexed to the house. It is also possible that Libanius refers to other baths in Antioch which had several public and private baths that were destroyed many times by earthquakes. Downey 1963 has reconstructed a plan for one of those (plate 24). Cf. *Or.* 51.9 with its allusion to the baths of the governor.

49 On Libanius' dislike for Berytus, cf. introduction.

50 Tyche, the goddess Fortune that was the tutelary deity of Antioch, is prominently present in Libanius' *Autobiography* as his protective goddess especially in the first part of the oration up to section 155. Libanius was there evaluating the various episodes of his life from the point of view of this god. Fortune also appears very often in *Or.* 6, which is a moral disquisition (*dialexis*) on how men are satisfied or dissatisfied by what the goddess grants them. In the remainder of Libanius' works, however, this goddess appears only sporadically.

be satisfied, the one for having escaped danger, the other for the pay.<sup>51</sup> **19.** And the earth and the sea were full of the story of this sale;<sup>52</sup> even people coming from the Ocean and the Galatians there<sup>53</sup> came here knowing it. Just now one of those who had been in Italy and spent time in the ruling city of Rome was announcing to me that no one failed to know it; starting from the Great Senate to those who live around the river Tiber, they all know exactly who gave, who received, what was given and for what.<sup>54</sup>

**20.** He knows these things himself and this restrains him in not a few matters. If this were not holding him back, who would be able to endure his daring, his audacity, his insolence and his arrogance? As a matter of fact, his nature often urges him to violence<sup>55</sup> but his fear of being ill spoken of restrains him, and he is often silent for the sake of the silence of others. **21.** This fine gentleman also lives with three women: he is married to one according to the laws and brought the others into his house for his two sons.<sup>56</sup> As a father-in-law, he is relaxed about the matter; there is much licence in their being together – chatting, touching – and no little can be done with the feet when they sit together.<sup>57</sup> The younger son, who would happily have gone away somewhere, remains there because he does not have an excuse for leaving,<sup>58</sup> but the great city

51 Demosthenes told the story of Phrynon who sold his son to Philip of Macedon in *Or.* 19. 230 and 233. Since he called witnesses to prove the veracity of his words, the story may have been true. The man who debauched Mixidemus' son was glad to pay money so that the story could be suppressed. He may have been an important person.

52 Cf. Aratus, *Phaenomena* (Heavenly Displays) 2–4 where all the earth and the sea are full of Zeus. Libanius must have known the passage but used it in a much less solemn context.

53 It is uncertain why Libanius singles out Galatia here and does not mention other regions of Asia Minor. He may be alluding to specific Galatians since he had many friends there.

54 There is a contrast here between senators and lowly people such as sailors which indicates that all segments of the population knew about the story. A similar, but much shorter, remark about people in Rome being informed of some scandalous story is found in *Or.* 37.3, where the Romans apparently knew about Helpidius' prostitute. The accumulation of testimonies is meant to give credibility to the indecent story.

55 There is an implied notion of drunkenness.

56 These are the sons he had from his wife.

57 Mixidemus finds a good and easy excuse to be close to the young wives of his sons in living together. He apparently touches his daughters-in-law with his feet in secret (an intimate gesture) as they reclined maybe at meals.

58 This young man, who is apparently sexually abused as the following sections disclose, has not been able to find a position outside his home.



offered the older a pretext for fleeing.<sup>59</sup> Many things keep their mother's mouth shut.<sup>60</sup>

22. A worthy complaint it is when you say that you do not have influence with such a man!<sup>61</sup> This man has made everything I said pale in comparison to what I will now say, something new and without precedent. Perhaps he committed all the other crimes after others and followed but did not lead, as in the case of Phrynon.<sup>62</sup> In this, however, he will be called the leader, if he has anyone who will follow him, which I don't think will happen. He is for his own son what Philip was for the son of Phrynon.<sup>63</sup> Although the brother of his wife<sup>64</sup> protested loudly and his wife was present and heard everything, neither did he look them in the eye nor did he contradict but kept his eyes on the ground in silence, admitting to the intercourse with his sweat. What Thyestes did was awful, but this is even more so, as such a thing is more awful with one's son than with a daughter.<sup>65</sup>

23. I was often afraid that the entire city would be punished on account of Mixidemus' wickedness<sup>66</sup> and was grateful to the gods that it had not been punished yet. It is difficult for a city where such acts of daring are committed not to fall, particularly since that deed does not escape the attention of any of its citizens, but nobody throws him out nor grows angry that Mixidemus

59 This is probably Constantinople, but Reiske, *ad loc.*, opted for Rome. It is likely that this young man found a post there.

60 This woman was either fearful or she was an accomplice in something, as Libanius seems to hint.

61 A sarcastic observation.

62 The fact that Mixidemus imitated others in their crimes somewhat diminishes his guilt. In the crime of incest, however, he is first.

63 That is, he is involved in an incestuous relation with the younger son who remained in the house.

64 It is very unclear who this brother is. His wife's brothers had died at each other's hands or had somehow disappeared so that Mixidemus was able to get the inheritance. This may have been a half brother. Mixidemus' mother-in-law may have remarried. Another possibility is that Libanius is referring here to a previous time, when the brothers were still there.

65 According to the myth of the long feud between Atreus and Thyestes, when the latter was told by an oracle that if he had a son from his own daughter Pelopia the boy would be able to kill Atreus, he covered his face and raped his daughter who gave birth to Aegisthus. Perhaps, therefore, Libanius is accusing Mixidemus of raping his son rather than having an incestuous relation with him. The myth, however, may have been only similar.

66 The motif of the wickedness of one person affecting the whole city often occurs in Libanius (cf. *Or.* 56.18, where the culprit is the official Lucianus and 46.37, where he blames the governor Florentius).

continues to live in a city where things of this sort are sung aloud.<sup>67</sup> **24.** You must not seek the help of such individuals but should protect yourself from them. You have the power to do that. You have your tongue and a gift from the Muses as great as could come from the Muses ... greater than epigrams,<sup>68</sup> Antiochus. If you stretch this bow, you will console yourself and will teach that man that you do indeed know Archilochus.<sup>69</sup>

67 That is, Mixidemus even celebrates his 'enterprises'.

68 The text is lacunose. Reiske thinks it is impossible to conjecture a solution.

69 Menander Rhetor II 393.9–12 says that those who wanted to blame and inveigh against enemies often mentioned Archilochus. The seventh-century BCE poet from the island of Paros left raging lampoons in iambic verses that came to be used in invectives. He was particularly famous for these and apparently was reputed to have driven his former fiancée and her father to commit suicide. In antiquity he was put on the same level as Homer and Hesiod. The terms 'console, consolation' reappears at the end of this speech after the mention in the proem.

**ORATION 35 (388),  
TO THOSE WHO DO NOT SPEAK**

The theme of silence opens this oration, which concerns the apparent inability of some former students of Libanius to express and defend their opinions in the courts and in the Council. Many orations of this sophist open with the motif of silence, but in this speech the theme of silence is of a different kind. Usually Libanius justifies his decision to speak on a certain subject in the proem of a speech, breaking the silence that had so far prevented him from dealing with that issue. The reasons that forced him to speak were various, such as the urgency of an occasion – for example, the destruction of Nicomedia (*Or.* 61), the improved public stature he had achieved that allowed him to argue for the exclusion of youths from public banquets (*Or.* 53) or the decision to defend the memory of a friend who was attacked (*Or.* 63). In this oration, however, the denunciation of students' silence is the issue around which the whole speech revolves. The situation is not entirely dissimilar from that of *Or.* 41, which centres on the dreadful silence in the theatre of the men in the claque who usually gave acclamations for a governor. There Libanius argued that a good governor had to accept these men's silence that supposedly did not damage his interests. In *Or.* 35, however, the sophist's condemnation of his students' lethargic behaviour is extreme. Silence is also the centre of argumentation in *Declamation* 26, *The Silence of Socrates*, which revolves around the supposed prohibition on Socrates speaking while he was in prison.<sup>1</sup>

Silence, as the opposite of words and eloquence, was crucial for an orator.<sup>2</sup> The threat of silence to the work and reputation of a rhetor is evident throughout Libanius' writings. His *Autobiography* reveals many instances when silence decided the fate of a speaker in a contest of rhetoric (e.g., *Or.* 1.50). A rhetor might be reduced to lack of words by the superior ability of his opponent, by a faulty memory that did not let him continue

1 It is possible, however, that this declamation is not authentic.

2 Cf. Quiroga Puertas 2013b.

in his speech, or even by magic that tied his tongue. Libanius himself had experienced periods of silence in his profession (cf. Cribiore 2007a: 229–31). When some of his relatives died or when Julian was killed in Persia, he experienced an inability to speak together with depression. Emperors and governors who were unfavourable to him made him hold back from speaking or made him confront dangers, as he implicitly recognizes in *Or.* 1.120, when the emperor Julian remarked on the fact that the sophist did not write to him. Julian said that now that Libanius was safe he did not need to be silent. It is noteworthy, moreover, that when in 362 Julian published his School Edict and subsequent rescript, Libanius remained silent and did not comment, and this was probably a gesture of disapproval. Silence continued to threaten him in his old age. In 385, he said: ‘My eloquence is undone’ (*Or.* 1.246). His silence was complete since he could not compose and deliver his speeches. This time magic was responsible (*Or.* 36).

**Oration 35** covers an aspect of silence that is deeply troubling for Libanius, who continued to follow throughout their life the young men who had studied with him. In antiquity the competence of a teacher was measured by the number of his students and their success after they left school. As Libanius says in *Or.* 25.48, a teacher was enslaved by all the people who continued to evaluate his performance – parents and grandparents – and prospective students continued to watch his results.<sup>3</sup> Libanius took his former students’ poor public performance as a personal reproach and considered it a condemnation of his own performance as an educator. He was always very sensitive to criticism that the rhetorical education he imparted was useless and that other disciplines such as stenography and the learning of Latin and Roman law were more relevant to the times. In *Or.* 62 (*Against the Critics of his Educational System*), he argued against those who remarked that few of his students reached powerful positions in the administration once they left school. The letters shows that a young man like Albanus of Ancyra filled him with pride because he proved that Libanius was a good teacher.<sup>4</sup> People who recognized Libanius’ personal ability as a speaker, nevertheless targeted his performance as a teacher and ‘tried to bite him in this area’ (*Ep.* 140 = R8).

This oration also emphasizes the importance of the council in a late antique city. In *Oration* 11.144, *the Antiochikos*, Libanius had painted a glowing picture of the council as part of the happy and harmonious

3 Cf. Cribiore 2007a: 202–05.

4 Cf. the dossier of letters of Albanus and Strategius in Cribiore 2007a: 236–39.

presentation of the whole city. In other orations, however, he had ranted against the bad treatment the members received and showed how impoverished and oppressed they were. In speeches of the late eighties such as 48 and 49 (cf. below), the sophist upheld the crucial function of the whole body but sharply criticized its members. The young men he censured in *Or. 35* appear to have become part of the council almost automatically after they left school. Libanius, however, had high expectations of all the members of Antioch's council, including his students. Many of them had to sustain the burden of heavy liturgies that supposedly brought some honour to them and made them prominent (sections 3–5).<sup>5</sup> And yet Libanius reminds them that even though liturgies constituted an important and essential service, being a *politeuomenos* (a cultivated person) was much more than that and included helping the city in all respects through words and deeds. Libanius uses the example of babies who became councillors at their father's death but could not perform in any way. They only enjoyed that denomination passively. In 331, Constantine had to re-establish the age of 18 as the minimum age for young people to undertake liturgies (cf. Jones 1964: 1.739).

This oration, which is about young men's silence, also alludes to the fact that people in antiquity used different language registers. As in other parts of the Roman East (in Egypt, for example), the language of educated people was Greek, but some of them knew how to express themselves in the local language, Aramaic, Syriac or Egyptian. Greek was the language of the city and Aramaic that of the countryside, but Libanius also mentioned artisans crying out in Syriac in the marketplace (*Or. 42.31*). It is reasonable to surmise that he also used Syriac when chatting with shopkeepers. At home, Libanius' students used the everyday form of Greek called *koine*, but when they were in school they were exposed to the Ionic Greek of Homer and especially to the Attic Greek of the prose works they read and studied. We may say that some people were almost trilingual. Section 15 contrasts the language these young men used while chatting with their slaves with the form of Greek they were supposed to use during the gatherings of the Council. It is unclear whether Libanius refers to Aramaic used in conversation with slaves. It is possible that this was an informal, simplified *koine* like the speech modern young people use in talking among themselves. But what kind of language were they supposed to employ in discussions in the Council? One guesses that it was still Greek *koine* but more formal

5 On liturgies, cf. *LRE*: 734–57; Petit 1955: 45–62.

than everyday language. Educated people did not actually speak Attic Greek, though it might surface as they talked. They also made literary references that distinguished them from the uneducated so that they could be recognized as members of a privileged class. When their schooling was over, students who had interviews with eminent people who could give them posts in the administration did not need to demonstrate any technical skills but had to show what they had assimilated from their studies. This created a system of instant communication. The language employed by most of the councillors was of this type, and Libanius wanted his pupils to cut a good figure and to show what they had learned from him.

**Oration 35** should be numbered among Libanius' school orations, which also include 3, 31, 34, 36, 42, 43, **55**, 58 and 62. Though it concerns students' behaviour after they left school, it points to what were the ideal aims of education and to young men's failures to fulfil the hopes of their teachers. As I have remarked in *The School of Libanius* and in *Libanius the Sophist*,<sup>6</sup> his letters and orations present distinct images of his students. While in the letters his pupils are shown as striving, maintaining good behaviour and having an excellent relationship with their teacher, the orations (including this one) show young men misbehaving: they were indifferent to their books and subsequently failed to use what they had learned.<sup>7</sup> Such students were betraying their educator and Libanius' resentment and disappointment throughout the speech are tangible.

The sophist, who often presents himself as a father-teacher and sometimes appears in competition with fathers for their sons' upbringing, is here inferior to fathers because he is responsible for these youths' failings. The proem also establishes right away that the education of its young members was very much the affair of the commonwealth. In a revealing passage of *Oration* 49.27–28,<sup>8</sup> all the city's notables accompany to the harbour students who are embarking for Rome and Berytus to complete their training in Latin and Roman law. Besides approval and encouragement, the *principales* also give the young men sums of money. It is the city itself that sends off its young members, proud of their accomplishments and aware that they will return the favour by helping the city with the fruits of their learning. When merchants land in Antioch, the councillors enquire if the youths have become people of importance and have prospects of office. In

6 Cribiore 2007a; 2013.

7 Cf. the remarks on genre in the General Introduction.

8 See a similar passage in 48.28–29 (cf. below).

a similar way, in *Or. 53, On the Invitations to Banquets*, the city will suffer the consequences of failures in the moral upbringing of young men.<sup>9</sup>

Libanius must have delivered this oration before a crowd that could appreciate it in all its nuances: fathers of young men involved in or interested in rhetoric, citizens who promoted higher education in the hope it would help the commonwealth, and critics of his educational system who argued that it was not successful and did not create valid and active members of society. The rhetorical density of this speech is high, that is, it is quite ornamented. It confronted real issues that problematized an education in rhetoric but it also aimed at displaying Libanius' own rhetoric. The sophist had to speak in his most accomplished style to show that he at least had all the credentials to teach complete eloquence. In a speech about silence, he had to be quite vocal.

The majority of Libanius' scholars (including Foerster and Petit) thought that this oration was composed approximately at the same time as 48, *To the Council*. In that speech the sophist defended the Council as an institution but upbraided the councillors for contributing to its weakness. There are indeed in 48 some motifs which remind one of *Or. 35*. There Libanius sharply criticized the councillors for their ineptitude and for failing to speak when they should have done so. They were idle, lethargic and did not pay attention to important issues. *Oration 48* (like 49) expressed Libanius' frustrations about young men travelling to Phoenicia and Rome for further studies, but in that connection too the councillors did not say a word against those trips. Both 48 and 49 are dated after the death of the prefect Cynegius, in the autumn of 388, and so 35 should also be dated to that year.<sup>10</sup> They present a picture of Libanius as a disillusioned educator forced to recognize that he failed to inspire in his students love of rhetoric. This scenario is typical of his late work. Not many manuscripts include this oration, perhaps because readers may have found it less inspiring than others. Reiske emended it felicitously and prepared the first edition that was published by his wife. Festugière (1959: 484–91) translated it into French with some mistakes and lack of precision. I again follow the Greek text of Foerster, indicating places where I disagree with it.

9 And in *Or. 39, Consolation to Antiochus*, the city will bear the stain of the immorality of one citizen.

10 Only Liebeschuetz 1972: 270–76 argues for an earlier dating but on the basis of a passage with textual difficulties. Norman 1969: 2.417–18 defends the traditional view.

## SYNOPSIS

1–2 Proem presenting the issue at hand: the silence of Libanius' former students.

3–5 Preliminary narration on the meaning and importance of being a member of the council.

6 Narration of the facts.

7–11 Comment.

12–14 Implied question: 'What are the reasons for their behaviour?'  
Response: the reasons are many.

15–16 Implied question to Libanius: what is your personal responsibility?  
Answer: I have none because I did everything I could for them.

17 Implied question: Are there any remedies for the situation? Stay in contact with books and avoid entertainment that hurts you.

18–19 Implied question: can these youths enjoy themselves and still maintain their eloquence? They need to devote time to both activities.

20–22 Question: are they all silent or are there exceptions? There are some who are good but they are a small minority.

23–25 Objection: we must yield to those older than us. Answer: right but you do not even speak after them.

26–27 Objection: working is unpleasant. Response: only with work will you obtain success. A short encomium of work follows.

28 Epilogue: follow this advice and relieve me from dejection.

1. A man would rightly shed tears over myself, the city, you<sup>11</sup> and your fathers (both living and dead) on noticing your silence<sup>12</sup> in the courts.<sup>13</sup> If

11 The silent and indifferent young men.

12 The word *ἀφονία* (silence) does not apply only to lack of speaking as here but also to failure to write and maintain contacts (e.g., *Ep.* 28). Many letters of Libanius open with denunciation of the silence of the addressee. In correspondence silence became an epistolary *topos* that was sometimes developed at length. It may have originated from a correspondent's reaction to slow communications.

13 Libanius puts himself in the first place among those who are responsible for these young men's failures (and successes). This fact characterizes the speech as a school oration. The city comes next since these students have disappointed its hopes of enjoying active citizens. Fathers follow: they are responsible for the conduct and success of their sons in every respect and have provided them with a costly education in vain. By 'dead fathers' Libanius means fathers who had died but perhaps also grandfathers (cf. the dossier of Libanius iv whose father Antiochus had died so that his grandfather Zenodotus took the latter's place as educator – Criboire 2007a: 292–93).



you had not neglected my advice, you could have been freed from it a long time ago,<sup>14</sup> but a remedy for this shame<sup>15</sup> would be possible even now, if you were willing to pay attention to me. **2.** On the matters on which I have come to give you advice, therefore, I pray the gods who protect our city<sup>16</sup> to grant me to speak reasonably and to find that you are persuaded. The speaker and those who listen<sup>17</sup> have a common gain, that one appears to have given the best advice and the others choose their advantage over what is pleasant. However, if you insist on remaining in the present condition, the profit will be less but I will nevertheless gain by the fact that I have advised you on such an important matter.<sup>18</sup>

**3.** Let one of you answer a short question for me: ‘What is a name that applies to you all?’ You might say: ‘We are councillors’. So what are the duties (implied) in this name definition? To perform civic duty willingly, propose verbal motions about what should be done, prevent harmful matters, agree with some people and oppose others, follow governors who have good intentions but fight them when they do not care for what is profitable,<sup>19</sup> set the voices of the council in opposition to those from the throne<sup>20</sup> and receive from eloquence the ability to inspire fear rather than

14 This probably refers to the teacher’s exhortations (both during and after schooling) to be committed to rhetoric in all respects. While this speech concerns the ‘lack of words’ of former students, Libanius does not show himself as silent, as he does in the proems of other orations. On the contrary, he presents himself as very vocal from the beginning in upbraiding his pupils.

15 ‘Shame’ (αἰσχύνη): a strong, uncompromising word.

16 An invocation to the gods in the proem put the issue at hand under their protection. Cf. *Or. 61*. Education appears as an important issue not only for Libanius and his students’ parents but also for the whole city and the gods.

17 In this case Libanius and his audience, but the phrase can be taken generally as referring to an advisor and those listening.

18 It seems that Libanius does not have the illusion that he will be fully successful. A similar remark opens other speeches. Persuasion of the audience is not assured but speaking (that is, composing a speech) has some advantages. Libanius feels that speaking is his duty since the matter demands it. In *Or. 53.1*, *On the Invitations to Banquets*, he indicates that the act of speaking out is a right in itself. In this case, moreover, proclaiming aloud that he admonished his students not only in the past but also, as a last resort, at the present moment and in front of everyone frees him of part of his guilt.

19 Libanius had a complicated relationship with governors and, as he became old, antagonized those who did not follow his advice. Rhetoric, he said, gave one the capacity to oppose bad governors. On his attitude towards governors, see *Or. 51* and *52*.

20 Probably the authority of the governor who is the head of the ‘throne’ of justice. In Libanius, *θρόνος* has several meanings. It might be the ‘chair’ of the sophist who has an official position, somewhat equivalent to modern terminology (see e.g., *Epp.* 301.1 and

to be fearful. 4. This is what makes a councillor, not the provision of wood and furnaces,<sup>21</sup> horses, athletes, bears and huntsmen.<sup>22</sup> All these expenses are good too and bring honour to the city and good reputation to the one who pays for them; but to be a councillor is not just this; I think these are forms of liturgies while to be a councillor is something else, as I have just said.<sup>23</sup> Even if a man does each of these things ten times over for his city, all this would be munificence, generosity, grandeur, but it is certainly not political service. It is clear from the following. 5. Many fathers and, by Zeus, mothers too after the death of their husbands brought to these expenses babies just weaned from the milk and even not yet weaned.<sup>24</sup> Will one allow them to share the name 'councillor'? Nobody would do that, unless he is out of his mind. How would anyone perform the councillor's duty if he cannot even know that he is undertaking a liturgy? And since he does not do that, how could he be called by the name of that deed? And so you, just like that baby, have undertaken some liturgies but are not serving as councillors.<sup>25</sup>

6. I kept on hearing that in the past from those who rejoice in my ills and disparage you,<sup>26</sup> and I did not doubt it, for I knew your ways of speaking

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1048). Here the word implicitly means the authority that came with that position (cf., e.g., *Or.* 40.5). The second main meaning of the word refers to the seat of governors and imperial administration. So the power of a governor consists of the belt of office, his administrative seat and his power as a judge, e.g., *Or.* 57.13. In the provinces the *consularis Syriae* has the highest *θρόνος* (see e.g., *Ep.* 1238.3).

21 To heat up the baths. This liturgy was quite onerous. In *Or.* 1.272, Libanius implores a governor to relieve an orphan of such burden and in *Or.* 28.6 he mentions a good person who was reduced to poverty by having to bear this burden twice.

22 All these are liturgies. The horses had to be trained for the chariot races and the athletes for running races. Procuring wild animals and bears was the task of the liturgists for the governorship of Syria, on which a liturgist had to spend exorbitant sums. For some letters of Libanius referring to this, see Bradbury 2004: 27–31.

23 Libanius argues that though members of the council had to bear liturgies that were onerous but which also were a source of honour for a family, the liturgists had important duties in the functioning of the city that made them eminent members of society. The splendor (and burden) of civil service was only one facet of their activity

24 Cf. Petit 1955: 131 n. 12, 135.

25 Considering the low opinion the ancients had of children, this can be taken as an insult. With all their grand airs these students out of school are still babies. Libanius' letters also include examples of students taken out of school before time to bear a liturgy, even though the financial burden was excessive (see, e.g., F 294 = R6).

26 Cf. e.g., *Ep.* 140 = R8 complimenting Albanian, who has silenced Libanius' critics by performing as an orator. The whole of oration 62 is against those who criticized the sophist for his educational system and the lack of success of his students.

in many circles,<sup>27</sup> but now I have become more clearly aware of my own disgrace.<sup>28</sup> I came in to address the governor (as I shouldn't have done)<sup>29</sup> and all the Council was in session. A serious matter that demanded eloquence and rhetors was under discussion.<sup>30</sup> While the others were saying what they thought was advantageous, you were serving the city with your silence, contributing as much as to approve what was said with a nod. Or, rather, those of you who were in full view were doing this, but the others did not do even that: they hid themselves behind the backs of the former and were not different from slaves who look up at their masters.<sup>31</sup> When you left, those (speakers) were proud because of what they had said, but you were mortified by your silence and people in the retinue of the former rejoiced while those who came with you were dejected.<sup>32</sup>

7. What did you say to your mothers at dinner time?<sup>33</sup> If you lied and told them that you were returning after speaking, you were doing wrong in

27 The first of those circles must have been Libanius' *chorus*, that is, the group of students in his school. He must have noticed these students' indolence and poor skills. Then he probably observed them in everyday life, in the family or discussions with their peers. 'Your tongues' (τὰς γλώττας; here translated 'ways of speaking') is used ironically, that is, 'I was aware of your limitations in eloquence when you spoke to others'.

28 Former students' inadequacy in speaking is a direct reflection of their teacher's inadequate pedagogy.

29 Libanius sometimes participated in the sessions of the Council. He regrets doing that on this occasion because he became painfully aware of the indifference and lack of participation of his students.

30 The Council was apparently debating at that time not insignificant, everyday matters but an important issue of public interest, such as, for instance, the state of prisoners or the perils of patronage, issues that Libanius discussed publicly in orations 45 and 47.

31 This is one of those lively vignettes that show Libanius as a master writer. He catches with ironic perception the deportment of these young men, some approving passively and others hiding behind them indifferent to the discussion and perhaps approving only in imitation of the former, like slaves with no independent will. The comparison with slaves recurs in section 16.

32 Libanius was the first of those who grieved.

33 Family conversations went on at meals. Contrast the silent dinners of old Gaudentius and his son in *Or.* 38.14, full of rancour and angry glances. Why does Libanius refer to mothers here and not to fathers? He might be thinking of widows with orphan sons and not of regular families. He might also remember his own situation as an orphan having to report his successes to his mother. The relationship of the sophist with his mother was quite close. He respected her even though she was excessively protective and did not want him to go to study in Athens (*Or.* 1.13). He says that she was 'all in all' to him and rejoiced exceedingly when he went back home after declaiming successfully (1.117). When she died just after Libanius' uncle, the sophist was broken, particularly because other disasters occurred such as the earthquake at Nicomedia (1.117–18). Another possible reason for mentioning mothers

this very act, but if you admitted that you had been silent, what else did you do but make them groan because you proved that they were wretched mothers who cursed themselves for engendering outrage, dishonour and disgrace?<sup>34</sup> And perhaps an artisan might respect you, perhaps he would assist you when you bid him and would hope that some trouble of his would be removed through you when you have need of others to speak on behalf of yourselves!<sup>35</sup> 8. By the gods, which is better, to lead or to be led, to be strong or to be impotent, to help or need a helper, to be called blessed or to deem another blessed, to be useful to one's mother<sup>36</sup> or to be unable to? Isn't it true in what I just said that you choose the second of these alternatives and others the first? And so they are able to terrify the lackeys of the governors whom you instead fear. It is easier for them to bring pain with a glance or a word or a gesture,<sup>37</sup> to get hold of someone with anger, to make him stand even though he does not want to, to strip him and even something more.<sup>38</sup> And so why do people fawn upon and flatter the former, but reject you? Because they respect the reputation that those have acquired through speaking, but find you disreputable because of your silence.<sup>39</sup> Though they are not unaware that you are bearing liturgies and have done so, they consider that this is done by law and necessity<sup>40</sup>

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at this point is that immediately before the sophist has accused his former students of being 'babies'.

34 An exaggeration but now Libanius and those 'unhappy' mothers are on the same plane.

35 An emphatic, indignant phrase. Libanius is saying that the repercussions of these young men's inability to talk go well beyond the disappointment of their mothers. People in the city (even those of low rank) do not respect them any more, do not offer their help or ask for their assistance as advocates when they need someone to argue their cause. The mute young men are slowly ceasing to be active members of that society. Yet the sense is not entirely clear and Libanius is hinting that a humble artisan might be able to take over from the silent youths.

36 Once more a mother in need of help. Libanius might think that fathers of such young men do not need their help yet.

37 Note the effective anaphora in the Greek, where the verb 'bring pain' (λυπῆσαι) is repeated before each noun.

38 To what is Libanius alluding? Perhaps he is thinking of flogging someone or of hurting him in some way. What does not make much sense is this list of things an individual can do when he has the power of words. In this passage eloquence seems to lead to violence. It is possible that in the heat of eloquence Libanius went too far. The sophist always condemned violence and the flogging of decurions in particular horrified him.

39 The concept that citizens who speak can provide better for the city appears in Plato, *Gorgias* (e.g., 517a–b): the old orators were better at improving the city.

40 A member of the city Council was under the obligation to undertake civic service. This was a legal necessity even though sometimes people did not have adequate financial means

but cannot admire your souls. 9. If you were citizens of a city that got a reputation because of some other things that are considered good but not from the ability of its councillors, even in this case it would be a fine thing for you to be better than your fathers and yourselves to be able to say the words of Sthenelus,<sup>41</sup> and yet perhaps you would have an excuse not having attained this.<sup>42</sup> Now, however, one would find that our city shone out especially for the Council's ability in speaking so that educators spend no small amount of time in oratorical displays.<sup>43</sup> It would be awful not to be shown to be the heirs of this and for the reputation of the city to be destroyed in your lifetime. If you were taking down the city wall, you would incur a penalty, and so are you doing something praiseworthy by depriving her of the honours that come from speaking? 10. I am glad that, while Phasganius is admired, I myself am not praised less than him but I would wish that you too were admired together with him because it would be advantageous for the city that people did not say what they say now: 'nobody is really like him' but 'many are nearly equal.'<sup>44</sup> We know that

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for it. Libanius' point, however, is that to speak and help the council make decisions was a moral obligation but some chose to think otherwise.

41 See *Iliad* 4.367–405. Agamemnon reproached Diomedes who was idle by saying that the fathers of warriors were much better than the new generation. Sthenelus son of Capaneus replied that this was not true and that they had taken the mighty city of Thebes.

42 For example, if the claim to fame of a city consisted of athletic ability. Young men not naturally endowed could have an excuse for failing to be better than their fathers.

43 There is no information about this special ability of Antioch's Council unless Libanius is referring to himself and his family.

44 Phasganius was the youngest of the brothers of Libanius' mother. He was influential and devoted to rhetoric. Libanius recognized his skill that was not inferior to his own. When Libanius' mother and her oldest brother Panolbius opposed the youth's desire to go to Athens to learn rhetoric, he was on Libanius' side but was able to prevail over his mother's opposition only when Panolbius died (*Or.* 1.13). Phasganius himself died in the autumn of 359 and Libanius was quite distressed. He used to go and declaim before his uncle, who rejoiced exceedingly, and Libanius gave him a report of the situation and successes of his school in 355, when Phasganius was apparently absent from Antioch (*Ep.* 454 = N14). After his uncle died, the sophist composed a eulogy for him. He wrote to his friend Demetrius 2 (*Ep.* 283 = N64) saying that he delivered the speech publicly but had to deliver a third of it behind closed doors to a small audience. From the word 'bench' that he employs, it is likely that he read the speech to his friends in his schoolroom. It appears that this section of the oration concerned the strife between Phasganius and the Caesar Gallus, when the latter was fighting against the Persians. Libanius' uncle had opposed Gallus' excesses and roused the Council against him. In 354, Gallus was dead but he was the brother of the Caesar Julian and at that time Libanius was uncertain whether the future emperor might react against him. On the authority of Phasganius in the Council, see *Or.* 49.29.

Argurius<sup>45</sup> and Eubulus<sup>46</sup> are celebrated as good rhetors, and I could add others who are worse than them but better than you. **11.** When you hear people say that those men were towers of defence for the city but you are traitors, and that they were making her happy but you make her miserable, and that the Council was great once, but now only a small part of it has not perished and most is gone, how do you touch food? How do you think it worthwhile to live? How don't you pray that the earth would swallow you? This indeed is a reason for one to grieve exceedingly, the fact that you are not aware that you are miserable but live with pleasure and laugh with one another and with other people too and meet men with impudent eyes<sup>47</sup> as if you were not in trouble.

**12.** But what is more awful than this silence? And for it, what could be a just excuse for you? Neither could you reproach your parents for not entrusting you to those from whom you could learn and for not spending money to buy

<sup>45</sup> Argurius was an eminent person in the Council of Antioch and was a friend of Libanius' family. According to *Ep.* 101.4 = N54, he was the cousin of Libanius' teacher Zenobius. From another letter, 113, one learns that the old Argurius had a son Obodianus, who in turn had a young son who was already in civic service and would continue to be in the near future. The youth, however, was looking forward to returning to Libanius' school and to being able then to be part of the Council himself. His name was Argurius like his grandfather (*Ep.* 381) and he continued to serve the city (*Ep.* 970). On the older Argurius, cf. *Or.* 53.4 and 49.18. He kept Libanius and his brother under his protection when their father died.

<sup>46</sup> Eubulus was also an influential member of the city council. One of his relatives was a student of Libanius, *Ep.* 1285. See *Or.* 1.103 and cf. Ammianus 14.7.6: when the governor was murdered, Eubulus and his son barely escaped the mob and his house was burned. From 1.116 it seems that he was a rival of Phasganius and when the governor Hermogenes recognized Phasganius among the people in the city council, he was grieved. Like Phasganius, Eubulus did not know Latin and when the governor Festus who did not know Greek arrived in Antioch he held a conversation with Eubulus through an interpreter (*Or.* 1.156). Eubulus admitted to him that he was eager for Libanius' death and Festus said that he would be the sophist's enemy if Eubulus would agree to share with him 'his fat geese, sweet wine and pheasants'. Later on, around 366, Eubulus struck a similar deal with another governor, Fidelius. He fed the governor from his rich table and asked him to punish Libanius for a speech, the panegyric of Procopius, that the sophist denied he had ever written. A military commander that the governor sent after Libanius, however, was on the sophist's side and nothing was done, *Or.* 1.164–65. Cf. also *Or.* 35.10.

<sup>47</sup> These youths are not aware that they are behaving in an unacceptable way. The good young man was supposed to be modest (cf. Aristophanes, *Clouds* e.g., 963–65). These are not children any more but they should have a modest and shameful demeanor, according to Libanius, since their performance was so poor. They looked at others 'with eyes wide open', that is, with an impudent gaze.

the usual books<sup>48</sup> and pay for the tuition,<sup>49</sup> nor could you reproach us alleging that we were not knowledgeable.<sup>50</sup> There are many cities in many countries which can bear witness to this point, since in them those who have studied with me hold power from speaking.<sup>51</sup> I would have made a list if it had not needed a long account to do this, and one that was tedious too. **13.** And yet you were not inferior at all to them<sup>52</sup> in school, for your natural intelligence was able to receive the art and you spent in addition no little work,<sup>53</sup> but the time afterwards<sup>54</sup> was not the same because those students held on to what they had acquired<sup>55</sup> but it slipped away from you. The cause is that they are in touch with texts<sup>56</sup> but you would rather touch snakes than books;<sup>57</sup>

48 'The usual books' (τὰ εἰωθότα βιβλία): an intriguing expression since we can only guess what these books contained. The rhetorical training started with reading the classics, prose (Plato and the orators) and poetry, including Homer and Euripides. Libanius' assistants were in charge of that. Then came the preliminary exercises (*progymnasmata*). Libanius was in charge of that level and it is conceivable that he distributed his work in class. We do not know if the students had books of rhetorical theory, such as a handbook of Hermogenes perhaps. Students carried books in their backpacks (*Ep.* 376 = R49) and had slaves to carry them to school. There were certainly parents who refused to buy books and provided little money once their sons left home. In letter 428 = N10, the sophist wrote a careful message to one such father saying that the student in question cried about that and that a pupil without books was like an archer with no bow. In another letter, βιβλία (books) are used in the sense 'school' so that a student who is away looks forward to his 'books' (*Ep.* 113). One should notice that the word βιβλίον means in general papyrus roll and sometimes Libanius sent these rolls with orations for his friends.

49 Libanius had ambivalent thoughts about enforcing a fixed fee but here he considers it a necessary part of schooling. On his misgivings and decisions about that, cf. Cribiore 2007a: 183–91.

50 Parents did everything to provide their sons with a good education. They entrusted them to teachers to whom they paid a fee. Nobody could indict this teacher (Libanius) for lack of knowledge. Yet in antiquity there were no standards of competence for teachers (cf. Cribiore 2007a: 202–05).

51 In *Or.* 62.27–29 he shows his pride in the 'children' he has disseminated everywhere.

52 Young men who were trained by Libanius elsewhere then spoke in the Council. It is also possible that he is thinking of students who went back to their cities at the completion of their studies and became members of the Council there. It seems, therefore, that not all the students of Libanius had become lazy, since those he depicts as outspoken were also in his class.

53 Intelligence and hard work were (and are) a winning combination.

54 The time after they left formal instruction.

55 The notions they possessed; what they had learned.

56 Perhaps συγγραμμάτων ('texts') should be rendered as 'literature', books containing oratory presumably, both classical and contemporary.

57 Greeks were afraid of snakes and the Gorgon whose hair was made of snakes symbolized that.

they did not prefer horse races, which are life's profit for you; you neglect everything else<sup>58</sup> and only pay attention to how one driver will surpass another.<sup>59</sup> And the wizard who professes this is more honoured than the gods themselves and also those spectators who labour<sup>60</sup> at the racecourse and earn money by saying something to the horses from above and through them to those on the chariots.<sup>61</sup> And so these are the men you congratulate, envy and imitate. You wish to resemble these rather than your fathers. And, by Zeus, you do resemble them! There are also those of you who have surpassed many of them in their own activities<sup>62</sup> and take pride in this victory more than those who win the crowns in Olympia. **14.** What brought you to this not least is that many young men undertook this liturgy and, selling the horses they had bought,<sup>63</sup> they were discharged from the liturgy but maintained the same interest in them and in the charioteers that they enjoyed during the liturgy. And yet, when the liturgical expenses ceased, why hasn't the attention you paid to them ceased too, but the evil proceeds undeterred? You consider days better or worse according to the victories and defeats of those but you wouldn't ever be able to mention anywhere your own victories and are not chagrined by your own defeats: so accustomed you have become to being defeated.

**15.** Did I neglect your sickness, didn't I imitate the doctors,<sup>64</sup> didn't I demonstrate my suffering and left uttering nothing but curses? Which day passed without me expressing admonitions 'Dear ones, be sober,

58 The concept is the same as in Ammianus 28.4 14: people in Rome hated learning as they did poison.

59 For young men's passion for the races, see e.g., *Or.* 3.12: when Libanius is declaiming, some of his students do not pay attention and nod to each other about horses and drivers.

60 These men 'farm' or 'plough' the hippodrome (τὸν ἵππόδρομον γεωργοῦντες). They work hard at earning money through bets. I adopt Riske's solution (ἐκ τοῦ εἰπεῖν for the single infinitive εἰπεῖν), which is not completely satisfactory because a finite verb seems to be needed, unless we supply 'is more honoured than the gods' from the previous phrase.

61 It seems that these spectators are inciting horses from the tiered seating of the hippodrome above the racecourse.

62 These young men, who have become very good at inciting horses and betting, participated in the races themselves.

63 Those in charge of chariot races had to buy and keep horses, feeding them with wheat and barley. See, e.g., *Ep.* 230 to an addressee who had to furnish horses.

64 This section responds to an objection that he neglected to reproach his students and was nonchalant about their attitude. Libanius says, however, that he was a good doctor and noticed their sickness. Sometimes he likened himself to a doctor as in *Or.* 53. 24–25: like a good doctor he tried to keep young men away from the deleterious consequences of attending banquets at a young age.



stop drinking, come to your senses. This is folly. Be yourselves. Spare yourselves and spare me. Be better than slaves in speaking; for now you are better only because of fortune.<sup>65</sup> If someone should stand near you and them as you chat<sup>66</sup> without clothes,<sup>67</sup> knowing nothing else about you, I think he would not consider it just that the one group rule the others.’ 16. Didn’t I always utter these and similar words? Wasn’t I expected to say this even when you saw me from afar? Didn’t your expectation of it often cause your flight?<sup>68</sup> Didn’t I beseech you to stop hating Demosthenes?<sup>69</sup> Wasn’t I harsh<sup>70</sup> in correcting the language mistakes you made?<sup>71</sup> Didn’t I promise to mend easily many of your errors? But even this looked painful to you. If you did not do this before, now, at least, you best of men, confirm your title by your deeds and become what you are called, councillors.

17. And so how will this come to pass? If you are able to speak. And how will you be able to? If you do not avoid books and do not consider what I just described<sup>72</sup> (to which one could add dice<sup>73</sup> and impiety against the

65 Most of the students of Libanius belonged to the upper class and had plenty of slaves. Here the sophist says that they are different from slaves only because they are the masters and not because of their education, eloquence and deportment.

66 A significant remark regarding the use of language (cf. introduction). These young men and their slaves were chatting (*λαλεῖν*) in familiar, common speech and so they did not differentiate themselves in their use of language.

67 They are not literally naked (as the Greek says) but they do not wear the usual clothes that indicate their role and rank.

68 Apparently Libanius followed the behaviour of his former students even from afar and they were annoyed by the continuous exhortations and fearful of reprimand.

69 It is unclear if these words refer to the time the young men spent in school or after they had left or perhaps at both times. Demosthenes was the orator *par excellence* for those learning rhetoric. In *Or.* 34.15, Libanius reveals that the rigid curriculum based on Homer and Demosthenes roused the protests of a pedagogue who liked more flexibility. It seems from this that some students resented the classical orator too. But they also ‘hated’ Libanius, the second Demosthenes: see *Or.* 3.18. On the rhetorical curriculum, cf. n. 88.

70 βαρύς, ‘heavy to bear’ the same accusation that people appear to have launched at Libanius in *Or.* 2.

71 The sophist must have been an unforgiving teacher in his respect for Attic. Cf. when, in *Or.* 42.40, he makes fun of the solecisms of the governor Proclus 6 who had a good education but did not have a full rhetorical training. Here Libanius alludes again to the type of formal Greek he wishes that his students used.

72 Horses and charioteers.

73 In *Or.* 1.39 Libanius condemns the ‘dice and drunken parties’ of friends of the sophist Bemarchius, saying, however, that these activities cement friendships. Gambling was notable among adults and young men too. For young boys playing dice instead of studying, see the protestations of Metrotime, Cottalos’ mother, in Herodas, *Mime* 3. Young men away from home spent the money their fathers had given them to pay the sophist for tuition in

gods with it) more pleasant than these. For you know in fact that the loser does not hold back from any expression and is charming and urbane in committing impiety. Bid farewell to dancers<sup>74</sup> and charioteers. Go to the ancient rhetors, cleanse your tongues, and perhaps someone will see you speaking and not keeping silent.

18. If, however, you cannot abstain entirely from those childish entertainments, though it is disgraceful to love what hurts you, grant equal space to each activity, the worse one and the better one. And yet how is this right?<sup>75</sup> Nevertheless I consent to that. You just had dinner.<sup>76</sup> Do not work hard at recalling<sup>77</sup> the charioteers and quarrelling about them with your slave, if no one else is present,<sup>78</sup> but asking for a book go to sleep after sharpening your tongue and when the nights are longer sing with the roosters.<sup>79</sup> Go to the market square, if your affairs demand it, and do not think you will bring shame on yourself if you are seen borrowing something from a book.<sup>80</sup> 19. This will make your speech beautiful and will show its fluency; this will make your tongue fast and at the same time above reproach and because of it you will build a more splendid house and will farm better land, will be the owner of more furniture<sup>81</sup> and will

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playing dice and getting drunk (*Or.* 3.6). Besides wine, playing dice is also associated with illicit love affairs in *Or.* 12.27 and 52.38.

74 A further addition: dancers. Libanius considered them a bane and in letters and orations never ceased inveighing against them. The exception is *Or.* 64 *For the Dancers*, which he wrote to vie with Aristides.

75 The inflexible teacher has a moment of hesitation. He ends up condoning those pastimes provided that people can limit their effects. They can enjoy those moments but behave responsibly for the rest of the day.

76 The subject changes from plural to singular so that the approach of Libanius can be more intimate and effective.

77 *διὰτριβε τῇ μνήμῃ*, ‘work hard with your memory’ is certainly a meaningful and well-chosen expression because in school the student had to work hard at remembering different concepts and literature. Memory was fundamental at every stage of education. In this case, however, the work of remembering charioteers is vain and futile.

78 In the absence of members of the family and people invited to dinner, young men dispute with slaves on the merits of charioteers and on how the game went. This is another of those small vignettes in Libanius that rings true and shows the continuity of human experience.

79 In winter the young man should not sleep on into the morning but must get up at dawn.

80 In the marketplace, where there are all kinds of people, the young man should not mind distinguishing himself for some bookish expression.

81 A mini encomium of rhetoric. Libanius does not often use the term *ἐπίπλα* that means property that can be moved, such as furniture, vessels etc. In *Declamation* 26 1.21, a talkative

silence<sup>82</sup> those who accuse me and you because you will live powerless, unable to change anything of the present situation.

20. Someone perhaps might ask me: 'What's this? Are all those here in this condition? Does no one from your former students speak and act like a councillor?' I could not say this nor could I contradict what is so evident, but would say that these are few, while the others are many. The former are two or three while the latter are ten times as many. There should be (if indeed this must be so)<sup>83</sup> only three unable to speak but many times as many who do speak. I wouldn't praise a field that is mostly fallow<sup>84</sup> nor is a physical trainer well reputed if he has only three who know how to wrestle, while all the rest are only bulk. Would anyone set an ambush with twenty or more men of whom all, except three, are cowards and suffer what Homer says bad soldiers suffer in ambush?<sup>85</sup> 21. Accordingly, it is not enough for me or for the city that only three speak but all those who partook of the sacred rites of education should.<sup>86</sup> Do you agree or not, by Zeus, that these three are more useful to themselves and to the city than you? If you deny this, you are crazy, but if you agree, why don't you hide in shame?<sup>87</sup> If you cannot do the same as them, it is you who have deprived yourselves. Were you not all educated with the same rules, in the same school, going the same route, hearing the same voice, following the same tracks?<sup>88</sup> I declared and

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wife who is annoying her husband who loves silence and quiet makes a verbal catalogue of all the furniture.

82 The verb ἐπιστομίζειν usually means to 'curb' a horse but is used by Philostratus, *Lives* 2.30 with the meaning 'to silence a speaker'. Thus use of this verb here is quite felicitous: by breaking his silence, the youth will be able to silence the critics.

83 Of course the ideal would be for all to be able to speak.

84 There is word play between ἀγρόν ('field') and ἀργόν ('fallow'). In English of course it is difficult to capture Libanius' artistry.

85 Homer, *Iliad* 13.279–83 describes the different behaviour of a coward and a brave soldier, the former with knees trembling and heart fluttering.

86 Libanius often mentions 'the sacred rites of education' because he considers it to have been given by the gods (see, e.g., *Or.* 3.35).

87 The verb ἐγκαλύπτειν in the middle means 'to veil oneself, wrap oneself up' and therefore also acquires the meaning of 'to hide in shame'.

88 This is a further indication that rhetorical education followed a strict curriculum that was the same for everybody. See in *Or.* 34.15 the protestations of a pedagogue who claimed that his ward needed more flexibility. Libanius' response was that no flexibility in the curriculum was allowed. On following 'the same tracks', cf. Lucian, *The Rhetoric Professor*, where the robust old-fashioned teacher leads students up the mountain of rhetoric as they follow the tracks of great writers such as Demosthenes and Plato. The other teacher who leads students up the easy road does not follow a curriculum.

discussed why you are not all identical or similar.<sup>89</sup> Getting from you the pretext for criticizing me, those who wish to disparage me conceal those three in the mass of the worse ones. **22.** What is most upsetting of all is that someone, whose name I would not tell,<sup>90</sup> expects to be considered a rhetor though he has learned everything but speaking, for he did not attend the classes of this kind of teacher;<sup>91</sup> and yet he would not bear to leave without saying something – more or less – to the judge. You, however, who as boys<sup>92</sup> have filled your tablets often every month with writings concerning rhetoric,<sup>93</sup> leave<sup>94</sup> differing from painted figures in so far as you walk, see and breathe, but like them in your silence.

**23.** ‘But, by Zeus, we must yield to those who are older!’ Certainly, in speaking first; but you allow them to be the only ones speaking. You do not think fit to speak alongside them and so you don’t think fit to speak at all. The former behaviour shows respect for them, but the latter disgraces you. Nor would they themselves have thought fit to be honoured in this way.<sup>95</sup> And yet if you thought it necessary to speak even before them in some places you could have appealed to an adequate example, Demosthenes, who himself admits that he got up to speak before those who usually preceded him.<sup>96</sup> **24.** Moreover, there was a time when those

89 He is alluding to what he has indicated so far about the lack of discipline and abundance of entertainments among the silent students. At the same time, Libanius recognizes that work by itself was not sufficient but students needed to be endowed with good natural qualities inherited from their parents.

90 Libanius shows some caution in withholding the name of the person he criticizes. This is not an unusual procedure but sometimes he achieves the same effect by concealing the identity of a person under a pseudonym. Cf. *Or.* **40.6**.

91 The person Libanius alludes to may be a member of the Council but he is depicted here as being in court and wishing to tell his opinion to the judge even though his eloquence leaves much to be desired.

92 The expression is vague. Libanius shows in *Or.* 34.3–4 a 15-year-old who is already so good at rhetoric that he declaims successfully. This young man must have started to learn rhetoric at least two years before. This, however, was not the average age for starting these demanding studies. On the various ages of students, cf. Cribiore 2007a: 31–32.

93 The reference must be to the simplest of *progymnasmata*, such as the declension of a *chreia* (saying), fables or short initial compositions. Waxed tablets from Greco-Roman Egypt preserve writings such as fables written by students at an intermediate level. On school tablets, cf. Cribiore 1996: 65–69.

94 That is, depart from the Council.

95 A contrary-to-fact apodosis in the past which presupposes ‘if you had chosen not to speak to honour them’.

96 Libanius is probably referring to *Philippic* 1 1, where Demosthenes asks to be forgiven for speaking first considering the urgency of the situation. What Libanius does not say,

who are now elders<sup>97</sup> were younger than others; they were actually much younger than them in comparison to how much younger you are than these. Ask them if they behaved like you, if they didn't speak, didn't contradict, and didn't spring up from their seats.<sup>98</sup> You will soon find that they have done all this and have suffered no harm from it but have derived the greatest profit, and this baffled those who usually predominated. I also know that this behaviour did not bring any shame and blame upon these three youths who imitate the conduct of those men who were then younger but are now senior in relation to them, but it brought fame, praise and made them close in power to those men. **25.** Therefore, stop attributing to deference and respect<sup>99</sup> what derives instead from your inability to speak, because, when a certain man<sup>100</sup> was away and you were forced to speak, you often thought fit to call him because you did not have anything to say.<sup>101</sup> But what are you going to do if he dies?<sup>102</sup> You will need an embassy to Pluto<sup>103</sup> praying to send that man back here so that speeches on issues might be delivered. You will certainly not become rhetors when this man dies. It is better to engage in speaking now that he is alive in order to acquire power than to try when he is dead, then when you are at a loss to disgrace yourselves. If it is necessary to be good at speaking, books are necessary and you must spend time with them.

**26.** 'But not working is pleasant and what you say requires work.' But how is it awful to abstain from pleasures that are dangerous and engage in work that is useful? If one goal is better than another, then work is better than pleasure.<sup>104</sup> Leisure is sweet to farmers but they must go hungry. Therefore they plough and sow, working hard not to suffer that. Work and, by Zeus, dangers too, are involved in navigation, but acquiring more property is

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however, is that this was considered negatively and Aeschines in fact ridiculed Demosthenes for doing it (*On the Embassy* 22).

97 It seems that Libanius has some actual people in mind, some eminent figures in the Council.

98 Asking to speak.

99 These two were the qualities *par excellence* of the well-brought-up young man.

100 Libanius himself.

101 Libanius is referring to an unknown episode when a student needed to talk in the Council and being unable to summoned the sophist. He may also refer to a student who went home somewhere and asked for his help.

102 As usual Libanius considers himself indispensable.

103 Pluto is the god of wealth was also the king of Hades, the underworld. Here the sophist does not seem to allude to wealth.

104 Note the chiasmus (with juxtaposed βέλτιον, βελτίων, 'better') in Greek.

more pleasant than never to embark on a boat. If the boxer reasoned in this way, would he have ever won a wreath? 'It is pleasurable to live without rhetoric!'<sup>105</sup> But doesn't silence in court bring pain? 'It is painful to lay your eyes on textbooks'. But isn't the fruit that comes from it very sweet?

27. Thus what we think is pleasant ends up being unpleasant, whereas what seems unpleasant brings pleasure,<sup>106</sup> the type of pleasure that is the only one really fitting for a man and that it is possible to call honourable. What would one say was finer than if words about words well-spoken spread through the whole city? Thus you and I would get along splendidly, with me receiving thanks and you giving it. For now we resent each other: you resent me because I have been wronged by you,<sup>107</sup> and I resent you because you wronged me.

28. Be great, strong and splendid; make your peers in other cities respect you and force those who now call you hares<sup>108</sup> to give you a more honourable name. And, perhaps, when the occasion for an embassy<sup>109</sup> should arise, someone may come to you, leaving aside those older ones because they need a respite and signing up some of you to go, on the grounds that you would contribute as much as them from your intellect. This would adorn the city more than all the squares and colonnades.<sup>110</sup> This – I think – will please you more than all the athletes, the huntsmen and the chariot drivers.<sup>111</sup> This will remove from my soul the many causes of despair I feel now.<sup>112</sup> Only this would be for me a cure for the present evils.<sup>113</sup>

105 It is difficult to punctuate. These could be the words of the person who objects or this could be an ironic exclamation or even a question.

106 Towards the end, the speech becomes more rhetorical. Sophists were famous for puns and word plays.

107 Young men avoid and resent Libanius because they are aware of his disappointment and bitterness.

108 This is probably a reminiscence of Demosthenes, *On the Crown* 263, where the orator accused Aeschines of living 'the life of a hare trembling in fear'.

109 To be called on to participate in an embassy was a great honour.

110 There is a similar concept in *Ep.* 1012 = R130, where Libanius says that promoting education should be the work of a governor rather than building colonnades and adorning the city.

111 Success will be very sweet for the former students and will be superior to all entertainments.

112 The poem had opened with tears from everyone, and the epilogue, which is longer than the usual epilogues in Libanius, closes by focusing on his present dejection.

113 This is a late oration written when Libanius had already lived through the loss of relatives, the death of Julian and disappointment about his profession.

**ORATION 51 (388),  
TO THE EMPEROR, AGAINST THOSE  
WHO BESIEGE THE GOVERNORS**

**INTRODUCTION TO ORATIONS 51 AND 52**

The main topic of *Or. 51* and *52*, both addressed to the emperor Theodosius I (347–395 CE), is the denunciation of the private visits that people paid to governors in order to obtain favours. Some visited the governors' headquarters in the afternoons and evenings and others obstructed the course of justice sitting by the judge in court and trying to influence him to their and their clients' advantage. These people gained every sort of favour and corrupted the governors with large gifts. Teachers also supplemented their earnings by taking part in these audiences, and to some parents, skill in this context was more valuable than pedagogic ability. The emperor – Libanius maintained – should enact a law forbidding this harmful custom. In 377, Valentinian and Valens had issued an edict (*CTh.* 1.16.13) forbidding afternoon private visits to judges. The law proposed in these two speeches of Libanius was apparently enacted, though little information survives (cf. *Or.* 54.61, below). In 408, the emperors Arcadius and Theodosius II again tried to restrain visits that hampered justice in the courts (*CTh.* 1.20): the local notables (*honorati*) involved in a trial were forbidden to stay by the judge when the cause had not yet been decided and some limitations were also imposed on the judge.

Fédéric Morel, who published *Or. 51* in 1610, dated it to 363, identifying the dedicatee as the emperor Julian, no doubt because of the allusion to the emperor in section 31 and on account of letter 797 that discussed Libanius' visits to Julian and was dated to 362–363. As all other critics have agreed, however, both orations are late, were addressed to Theodosius, and belong in the spring or summer of 388. Since their content is so similar, it is likely that Libanius composed them at approximately the same time.

While 51 does not contain any elements that can be used to date it, 52 refers to the death of the praetorian prefect Cynegius as having occurred not long before.<sup>1</sup> In a previous speech, *Or.* 10 written in 383–384, Libanius mentioned the visits to governors, saying that he visited Proclus during the audiences that took place four times per month.<sup>2</sup> He again manifested his hostility to this custom in *Or.* 54 against Eustathius, where he accused the governor of allowing letters to reach officials, circumventing the law that prohibited audiences.<sup>3</sup> *Or.* 54, therefore, appears to have been composed after 51 and 52, which encouraged the promulgation of such a law.

*Orations* 51 and 52 have always been regarded as a pair and an example of Libanius' practice of writing 'doublets'. Other speeches exhibit similar features. In 385, Libanius composed *Or.* 27 and 28 against the *Comes Orientis* Icarus 2 and in the summer of 388, *Or.* 48 and 49 were addressed to the emperor to improve the dismal state of the town council. Scholars have wondered about the reasons why the sophist adopted this practice: was one speech of a pair a draft or was a change of audience responsible for the second version?<sup>4</sup> In spite of the obvious similarities, each speech emphasizes different points. The clearest indication is that 51 concentrates on a description of the custom of private visits and mentions in passing that a law should be passed to restrain them. *Or.* 52, however, is a proposal for that law and stresses the damage done to justice when people sat by the judge in court; it mentions the damaging practice of visits to the soldiers and emphasizes the harm done by doctors who discussed with their patients things other than their health.

In 1956, when Paul Petit attempted to find a reason for the double redaction of 51 and 52, he discarded as too simplistic the idea that they represented different moments in the composition of the same speech (one being a draft and the other a speech developed and written up later) but considered them as two different discourses addressed to different audiences.<sup>5</sup> He pointed to the fact that while 51 presented the governors as victims of the harassment of the visitors, 52 contained an indictment of the officials' corruption, dwelling on the pitiful example they offered to the rest of the population. The two orations also differed in that 52 was

1 Cynegius 3, prefect 384–388. He was succeeded by Tatianus.

2 Proclus 6 in *PLRE* I was then *Comes Orientis*; *Or.* 10.3 (cf. Martin 1988: 205–11).

3 Eustathius 6, governor of Syria in 388. See *Or.* 54.61, in which Libanius says that the governor received many communications every day and did so on purpose, to displease him.

4 See Petit 1956.

5 Petit 1956.



much longer and more complete and contained slightly more rhetorical ornamentation. Petit thought that it was intended for the prefect Tatianus who succeeded Cynegius, while 51 was directed 'without doubt' to an unknown *Comes orientis*.

Even though it is impossible to identify with precision the officials to whom these speeches were directed, it seems reasonable to regard *Or.* 52, with its allusion to the dead Cynegius, its considerable length, the many, diverse issues it covers and its aggressive tone against governors, as a speech intended for an official audience with the aim of bringing about a reform of damaging customs and the urgent promulgation of the law in question. *Or.* 51, however, has a different tone. It exhibits features that might suggest that it was composed for a smaller audience closer to the sophist and interested in his school. It is possible that Libanius tried out this simpler version on an audience of students and parents and then modified it to send to court. Though no certainty can be reached, one could even venture to say that *Or.* 51 was a school oration that could serve as a model for the students. Libanius' pedagogical works included *progymnasmata* (preliminary rhetorical exercises), *declamations* (speeches as school exercises, often mythological) and *hypotheses* (arguments) of Demosthenes' speeches, but the sophist apparently did not leave examples of speeches on current issues that would be suitable for relative beginners. *Or.* 51 might be one such work that represented a transition between declamations and those finished orations written for the general public. Libanius might have composed it for this restricted audience as an example of an oration addressed to the emperor on urgent issues.

After the initial section with the address, *Or.* 51 includes two paragraphs (2–3) that are very unusual in this sophist, a theoretical proem on different kinds of war, civil unrest and the functions of the laws.<sup>6</sup> In section 2, the remark that 'the laws do not have hands or feet' and cannot hear people crying for help does not seem well suited to an official audience and in fact is not in the companion *Or.* 52.2. *Or.* 51 is a colourful description of visits to officials and alludes only in passing to interference with the administration of justice, a theme fully developed in 52. The condemnation of teachers who visited the governors is quite different in the two orations. In 52.29–31 Libanius mentions the greed of teachers who profited financially from the visits but alludes to the damage this causes to education only in section 13. Four whole sections of *Or.* 51 (13–17), however, are devoted

6 In *oration* 52 this part is present but is shorter.

to this issue. Libanius was always concerned about the number of his students and in his late years was particularly preoccupied with defections.<sup>7</sup> 'Success is measured by the number of students,' he says in 51.15. Fathers preferred teachers who had friendly relations with governors, of which they themselves could take advantage, without taking due account of competence in rhetoric. Teachers who visited the governors could not devote all their time to teaching, so that students were short changed. All these personal remarks, typical of Libanius the educator, might have been of only marginal interest to an official audience.

It is also useful to compare the part of the argumentation in each of the two speeches where Libanius responds to the question that he personally enjoyed the visits he now condemns. In a previous speech, *Or.* 2.7–8 (dated to 380–381), he had defended himself against the accusation of arrogance stemming from the visits he paid to governors. A similar section in 52 is quite long (39–45): he expands on his personal dislike of the custom and insists that he never visited officials of his own volition but was always invited, that it was dangerous not to accept the invitations, and that his actions were intended to protect people close to him. A much briefer defence appears in *Or.* 51 (29–31). Here, only one section maintains that he had tried not to accept invitations, while in the rest of the passage Libanius expresses his conviction that only time devoted to rhetoric is valuable, and protests that he never earned anything from the visits, not even when Julian offered to revoke the confiscation of his grandfather's property. Declaration of love for rhetoric and especially admiration for Julian were characteristic arguments that in 388 were more suited to a restricted school audience than to court officials.

There is one more argument that might speak in favour of *Or.* 51 being written for an audience less sophisticated than that of 52: the difference in style of the two speeches. A reader (and certainly a translator) soon realizes that the first oration is very straightforward and easy to follow, contains shorter phrases than the other and does not include long, convoluted passages (such as *Or.* 52.4 and 8). Dionysius of Halicarnassus, a writer Libanius knew, would have approved of 51, with its clear exposition, less obscure allusions and a style less laboured than that of 52 (Dionysius, *Demosthenes* 9–10).

After Morel's edition of *Or.* 51 (Paris, 1610), with Latin translation, the *editio princeps* of both orations was that of Jacques Godefroy, *Libanii*

7 Cf. Criore 2007a: 191–96.

*sophistae orationes quatuor* (Geneva, 1631), with Latin translation and notes. Godefroy recognized the importance of both orations because of the precious guidelines they could offer politicians.<sup>8</sup> Available editions are those of Foerster and of Reiske, although the latter is difficult to find. French translations are included in an unpublished dissertation (Kauffmann 2006).

## SYNOPSIS

1–3 Proems (sections 2–3 are theoretical and general).

4–17 Narration of the facts (4–5: description of the day and night visits; 6–10: the visits damage justice and the courts; gifts are given; 11–12 letters of petition; 13–17 teachers visit and schools are damaged).

18–32 Objections and response (18–19 objection: is a law really necessary? 20–21 objection: do all visits concern favours? 22 objection: some men visit only to talk. 23–24 objection: governors might learn from them. 25 objection: the visits might calm the governor's anger; 26–28 objection: not all favours are contrary to the law; 29–32 objection 7: Libanius visited too). 33–35 Amplification and peroration.

1. Since I have addressed to you everywhere, Sire, many discourses on important and serious matters<sup>9</sup> and have found that you paid attention to them and were well disposed towards my advice, I have come before you now to discuss issues that deserve consideration and are no less momentous than those. I ask the gods<sup>10</sup> to be able to inform you adequately and to depart from here after convincing you that I do indeed make sense.<sup>11</sup> 2. I believe that all would agree that these are the two greatest factors that hold together your rule: military supremacy and the power of the laws.<sup>12</sup> The former allows you to prevail over enemies and with the other it is possible

8 Godefroy 1631, in the preface of the editions: *praecepta tamquam gemmae elucent* ('the teachings are as splendid as gems').

9 For instance, a year before Libanius had addressed to Theodosius *Or.* 19 and 20. Supposedly in 388, the year of this speech, he also composed *Or.* 49 to the emperor.

10 This is the only clear comment on the gods. In section 18, Libanius refers to Justice who sits next to Zeus. In the late letters, Zeus is the only god of the Olympian pantheon who is still present.

11 Libanius appeals to the emperor but it is unlikely that he did in fact pay a personal visit: see introduction to the speeches.

12 Proems on themes such as those of sections 2–3 were often used, as Aeschines says, *Against Timarchus* 4. A briefer version is found in *Or.* 52.2–3.

to obtain justice. The laws themselves, however, require judges who will enforce what they say. The laws, in fact, do not indeed have hands or feet,<sup>13</sup> and if someone called them they would neither hear<sup>14</sup> him crying nor go to offer help. They, however, can bring help through the judges.<sup>15</sup> Fear makes some men just, while suffering punishment makes others better. 3. When enemies are overpowered and the laws are empowered, it is possible for them to prosper. But if justice yields to injustice, when the laws are weak among those who have vanquished the enemy, another type of war arises among people of the same country<sup>16</sup> so that what has been gained by arms is of little advantage. If it were possible for you to be everywhere in person, there would be no need at all of these governors whom you send to the provinces because you would be sufficient for all those who are on trial, just like the light of the sun itself.<sup>17</sup> But since this is not possible, you govern these people through the agency of others and *you* make decrees according to what *they* decide. Even though these men might be the very best and wish to defend just men, there is something that prevents them and diminishes their efficiency. What is it?

4. Many people think that the governors' headquarters should be open to them, and so, leaving their own houses, they spend time there. They go there immediately after lunch, shaking off the sleep that lunch induces.<sup>18</sup> Those who arrive when governors are still eating sit down below<sup>19</sup> chatting in such a way that the governors notice them. This means that either the governors get up before the end of the meal or they reach the end but with displeasure. In addition they are deprived of sleep.<sup>20</sup> The loud voices of

13 Similar personifications appear e.g., in *Epp.* 946 (a house with a voice) and 872.5 (the earth and the sea have a voice), and *Or.* 40.20 (a contract is tugging at a cloak).

14 So, in addition to hands and feet, the laws did not have ears.

15 This oration, however, does not develop this point very much, contrary to *Or.* 52.

16 Libanius is not talking of civil war but of discord that arises in a community.

17 See the same wording in Libanius, *Or.* 11.267 and 20.45. On images of sun and darkness, see Aristides, *Or.* 24.51 (Keil). As Kauffmann 2006: 215–16 remarks, the idea of the sun being able to observe everything comes from Homer, *Odyssey* 8.271: the sun witnesses the loves of Ares and Aphrodite. In this case, Theodosius would be able to observe everything with no need of governors; on this theme, see Schouler 1984: 671–684.

18 Such is the hurry and preoccupation for their affairs that people give up the afternoon siesta.

19 Reiske, *ad loc.* thinks they sat on the ground floor of the house while the governors ate upstairs. There were several noisy people waiting for the officials.

20 Libanius often declared that sleep hampered learning (see, e.g., *Or.* 12.94: Julian was able to overcome sleep because he did not eat and drink excessively). Here, however, the sophist recognizes that the governors need sleep, in this case a siesta.

the people who come in awaken those who managed to sleep rather more abruptly than when pedagogues awaken children.<sup>21</sup> So things are reversed and those who are governed now govern.<sup>22</sup> 5. Evening comes and lamps are lit, but still they do not go away. They even share the bath with the governors who, therefore, cannot take care of his necessary duties. Then early in the morning they usually come back with the excuse of making their salutation but in reality to make what is advantageous to them prevail over what is right. In fact now they are coming to demand an answer to the matters they discussed the previous afternoon.<sup>23</sup>

6. But, Sire, you should consider that these visits – all of them – are contrary to the law. Because of them, many who prosecute according to justice are defeated, and instead many who prosecute unjustly prevail. They converse about cattle, slaves, land, loans, prisoners and acquittals.<sup>24</sup> Even though a governor is a man who respects justice, someone might obtain much when he sits next to him for a long time, and chants his spells over and over,<sup>25</sup> and grabs his hands and knees, promising to praise him, and threatening to denigrate him. Therefore, he sits in the middle in accordance with the law but the others on both sides<sup>26</sup> do not permit him to be a judge. How could he be a judge, nudged as he is on every side so that favour prevails over the law? 7. The following thing also happens among such people, Sire. Some do not talk to the judge at all but say that they have talked to him, and so compensation is agreed upon.<sup>27</sup> Then the man who said that he talked with him goes and sits by the judge, waiting

21 One of the duties of pedagogues in antiquity was to awaken children and to take them to school. Though in this speech the governors are treated with more consideration than in *Or. 52*, they are still compared with children.

22 Cf. section 12, below and *Or. 41.2*. Aristotle, *Politics* 3.2.10 considers fundamental the knowledge of how to govern and be governed. Cf. Plutarch, *Agessilaus* 20.2.

23 Thus the practice takes two days. People mention their affairs to the governors on the first and receive an answer on the second.

24 There is an escalation in the list of topics for conversation that moves from cattle to acquittals.

25 As usual, these words are connected with magic. Cf. section 25. Here the phrase conveys an idea of repetition. People almost hypnotize the governors with their obsessive chanting. In *Or. 63.31*, the women in the household of Olympius are accused of performing veritable magical incantations.

26 These were the *principales* and officials who had the permission of the emperor to sit next to the governor in the council and in court. It is also possible that the people on either side are those supplicating the governor.

27 Reiske, *ad loc.* calls them *fumi venditores*, ‘those who sell smoke’, pretending to have worked for an acquittal.

for the verdict, and, when this is given according to justice, he demands payment for the just verdict even though he did not work for it and did not say a word. **8.** This is awful and yet not so awful as the fact that they expect to win even unjustly on behalf of those they assist in court. So one says (to the governor), 'If you do not grant this favour, you will not be able to tolerate the darts from my mouth!' The market square is the place most convenient for those who shoot in this way.<sup>28</sup> Consequently, from threats of such sort come improper favours and decrees and tables splendid with the delicacies sent by the victorious party. Those who fare sumptuously do not have any expenses: their pantries are always replete with fish, storage jars, poultry and all the other things that can make a banquet.<sup>29</sup> Many things are brought from many parts, some from the same city and some from other cities on the mainland and in the islands. And so the camels compete with the merchant ships.<sup>30</sup> **9.** Such gifts used to consist of wheat, barley, garments and wine, but now there is plenty of silver and gold. Because of this, the governors' baths are preferred to the large public ones in Antioch.<sup>31</sup> Many requests can be addressed to the governors when they are naked, being scrubbed, and are in the pools of hot and cold water. People who have need of those who are bathing like this wait for them to come out and follow them closely praying to hear something to their own advantage. By their expressions, the governors indicate that the deed requires not a little work, but allow them to hope so that they both have sweet dreams, dreams of success and dreams of payment.<sup>32</sup> **10.** One might feel angry too, Sire, at the fact that they get up at dawn, overlook all their other affairs, which are not unimportant

28 The market square, where people constantly met and talked, was the place where reputations could be built or destroyed. Demosthenes, *On the Crown* 127 calls his rival Aeschines 'the refusal of the market square'.

29 In *Or.* 1 156 Libanius mentions banquets with 'fat geese, sweet wine and pheasants' that Eubulus gives the governor Festus. Cf. in *Or.* 39.10 how Mixidemus receives from the countryside gifts of wheat and barley and cooked food because he was a patron of those villagers. On lavish banquets with rare birds and fish, see, e.g., the panegyric of Julian by Claudius Mamertinus 11 in Lieu 1989: 22–23.

30 So there were many activities to satisfy the governors' needs and fare for the table and other gifts came from everywhere. The reference to camels may be an allusion to expensive and exotic foods from the East.

31 Antioch had several public and private baths that were destroyed many times by earthquakes. Downey 1963 has a tentative plan for one of those (plate 24). Cf. the note at *Or.* 40.8 and the allusion there to a pool with waterspouts.

32 The litigants hope they will be successful, and the governors dream of the reward they will get.

and are their proper concern, and go right away to the court. Are there no barbershops, surgeries, perfumers' shops that can house these conversations and meetings? Why, neglecting all these, do you go there and prefer the unpleasantness of the courts to the relaxed atmosphere in those places?<sup>33</sup> They will not tell you, Sire, but I will: because they need the voice the herald pronounces at the doors when they come in.<sup>34</sup> All those who hear have recourse to their might. It is to their advantage that there are people who need them.

11. The visits of these people, therefore, harm the cities, and the letters of those who do not go there harm them as well – actually, by Zeus, even more.<sup>35</sup> They enjoy full success because they do not go there – and this depends on their high station. A diptych is sometimes more powerful than many long conversations face-to-face.<sup>36</sup> These people either visit occasionally or they never do: they do the first with those of more splendid station and the latter when the people are less eminent. 12. I say, therefore, that both these things, the letters and the travels, must be prevented. Because of them, no judgment that has been rendered is allowed to stand. Right away, in fact, if it is possible, the men against whom the vote is cast rush to the governors, or otherwise their servants do, those measures are annulled, and they can receive payment.<sup>37</sup> The governor is governed by those who do not govern.<sup>38</sup> How can this not happen when something is more powerful than the vote that was cast? So the advisors who urged that course of action become the masters of the people who have been acquitted and it is not possible for the latter to oppose the advisors' wishes.

33 We would expect people in antiquity to assemble in those places to chat and comment on current events. This sentence in the second person should be taken as an informal direct address to those people who pester governors.

34 As one might expect, people who were introduced to governors were announced by name.

35 These are petitions and letters of recommendation such as Libanius wrote very often. Here, however, he is presumably talking of unjust requests.

36 A diptych was formed by two tablets tied together and could contain various types of writing (e.g., school exercises), as the examples from Egypt show; on writing materials, see Cribiore 1996. In this case, the tablets contained petitions. In *Or.* 63.17, a diptych contained the will of Libanius' friend Olympius 3, and the straps were cut and the seal was removed after he died.

37 The word *μισθός* ('money') is implied, so that here Libanius alludes to the corrupted pleaders who appear again at the end of this section.

38 Cf. section 4 and note.

13. There is also, Sire, another class of people that gives trouble to the governors. Who are they? Those who are in charge of the literary and rhetorical education of young men. They spend the half of the day after midday with them<sup>39</sup> making written petitions for trials and a million other things. You would recognize them from afar by their faces whether or not they are successful in persuading: at that response they beam, at this they are downcast. They appear to be taking care of others but they are actually caring for themselves. 14. Because of this, the man who visits the magistrates is more prosperous than those who do not. The revenues from teaching are not even a small fraction of what they earn from the courts. And if you want to investigate those teachers who have become rich you will find that this is their source of income, unless Fortune has granted to one land inherited from relatives, because in itself the revenue from students cannot generate wealth: we know well how much it is.<sup>40</sup> 15. While these people corrupt the trials, there is something else too, the damage that affects their schools, for this practice often makes the worse teacher fare better than the more competent. Success is measured by the number of students,<sup>41</sup> but the teacher who is friendly with the governor gains more of them because fathers hand over their sons not because of rhetoric but on account of this kind of powerful influence. 16. And if you approach them and say,<sup>42</sup> ‘Sir, you are betraying your son. Don’t you see that the teacher in question pays more attention to court affairs and considers the activity from which he takes his title as a sideline? Don’t you see that he derives more income from there so that one should not be

39 The teachers are probably visiting the governors. It is not impossible, however, that Libanius is alluding to the general habit in antiquity of using teachers as writers of letters and petitions for people, so that here they may have helped the defendants or their pleaders. In a society that was still largely illiterate, teachers provided this service.

40 Libanius came from a propertied family. On the (low) economic status of teachers at any level, see Criboire 2001: 59–65. Cf. *Or.* 31, in which Libanius in 361 lamented the low income of his assistants and pleaded for some help, rebutting the common conviction that students’ fees gave teachers a large income.

41 This was a constant worry of the sophist, as he told the governor Alexander 5 in 363 in a letter where he recognized the latter’s help in sending him students (*Ep.* 838 = B94). This concern increased as he became older and students did not want to study rhetoric for many years any more but opted for a shorter period of study and/or defected to other teachers and different disciplines. Cf. the sophist’s remarks in *Or.* 40.5–8.

42 Libanius often approached the parents of his students, mainly through letters he sent when he wanted to inform them about the behaviour and diligence of their sons. Relations with parents were difficult especially when young men moved to different teachers. See Criboire 2007a: Appendix 1 for many of these letters.



surprised if he takes better care of what is more (remunerative) for him?' Hearing this, a father would respond that he is not unaware of any of these things but that he makes the largest profit from the penalty he inflicts on his son, for he easily succeeds in all those matters in which only a governor can grant success.<sup>43</sup> **17.** This, and not rhetoric, is what increases the flock of their students. Preoccupation with this could ruin even the rhetoric that currently exists. It is not possible to take care of both things alike. The teacher who has entrusted himself to the governors has given up the labours required by rhetoric.<sup>44</sup> But, Sire, since those who think fit to teach for you are now becoming worse, how is it possible that their students become better? For when the thing given is poor, how can what is received be good? Your concern should be to rule over many competent people, Sire, and you could do this if you compelled the teachers to do their own job. You could compel them if by law you closed the governors' doors to them.

**18.** 'But – you might say – why can't the governors do this without a law, if they so wish?' It is possible. There are some, few in number, who have done just so, and may they receive many good things from Justice, who sits next to Zeus.<sup>45</sup> Those who have done so acquired a bad reputation from those who were deprived of meetings with them, and when I say a *meeting*, I mean a source of revenues, but they were not struck to the soul nor did they change their decision because of these arguments. **19.** And yet you could not find such courage in all governors. A man can be a coward here too, just as in army camp: as steel is fearful to the one, so is slander<sup>46</sup> to the other. The fact that he is not aware of doing anything bad is not sufficient.<sup>47</sup>

43 In his letters on education most parents appear to care very much that their sons learnt and students seem willing and well disposed towards their teacher. In the orations, however, which are not addressed to specific persons, Libanius is less guarded. Cf. the general introduction on the fundamental importance of genre in evaluating letters versus orations. See also, on this issue, Criboire 2013: 26–27, 124–25 and *passim*.

44 Of course this might be an exaggeration, but Libanius always sees things in black and white.

45 One of the governors Libanius approved (at least to a certain point) is Philagrius 2, who is presented as a model of independence and strong personality in *Or.* 41, where he does not care whether the mob applauds him or not. The image of Justice sitting next to Zeus is Libanius'. Her closeness to Zeus as his daughter, however, appears very often in literature from Hesiod to the tragedians and after.

46 This is a theme that runs through the speech. People who ask favours have an important weapon at their disposal: they can talk behind the backs of the governors and spread rumours.

47 It is not sufficient to give him courage.

But let this matter be forbidden by an imperial decree in order for the law to be valued instead of them,<sup>48</sup> so that people do not visit and the governors do not have a bad reputation.

20. 'But, by Zeus, it is possible not to grant favours to those who are there and begging'.

Oh yes, it is possible, but it is not easy. Petitions involve much pressure such as touching the hand and chin and a dejected countenance.<sup>49</sup> One might shed tears. Another will threaten to remain there: he cannot depart if he is unsatisfied. The man who begged the governor stays at his door and the latter feels shame at his hopes.<sup>50</sup> The judge is often overcome by these people and, therefore, he grants what he does not wish to. 21. And so let no one visit him, be in his company, talk to him, beg him, or expect to receive anything. In this way neither will there be anyone to grant favours. A man will not, then, tie his letters to darts and send them through the windows.<sup>51</sup> But if a governor rejects the request, how many words, stratagems, and how much time he will need! No little damage to regular affairs results since the mind of the judge is drawn away from them to these matters.

22. 'But there are people for whom it is enough to go in and talk to him!'<sup>52</sup> I do not know such a man but grant that there are one or two, if you like, and even count a third. Is it better to shut out these people too together with the others, or rather, because of them, to open the courts (which should remain closed) also to those who reap the benefits from them, especially when those who do not come in person do not suffer any harm, but those who do might do harm? You will find that some – a few people – will not resent this law, since they do not lose anything, but others – the majority – will choke with rage because they lose a lot. So why should our regard for some people encourage so many to act against justice?

48 It is better to have a law rather than praising and trusting the few well-meaning governors.

49 Cf., e.g., *Or.* 39.8, where Mixidemus petitions women in this way and does so repeatedly.

50 Libanius pays great attention to the emotions behind people's behaviour. One of the best examples of this is *Or.* 37. There he explores in a subtle way the changes of his friend Polyclus in his behaviour towards him.

51 This was probably an ordinary window and Libanius means that letters will not reach the governor by themselves.

52 This objection does not appear in *Or.* 52.

23. 'The governor could certainly learn some of the things that are needed from those who visit!'<sup>53</sup> But he might also learn something base from his visitors.<sup>54</sup> There is a saying of a man famous for his wisdom that bad people are the majority.<sup>55</sup> Since base tongues will surely be more numerous than good ones, surely our governor will be baser rather than better. We have seen that those who closed their doors have acquired a good reputation by being their own advisers, and that no useful thing escaped them though they were not schooled by these people's opinions. 24. I think that what persuades you to give people offices is the fact that they seem to you men of good sense. You dispatch them on the ground that they have been educated for the prosperity of cities and not in order that they might be educated.<sup>56</sup> But if they need others to teach them what they have to do, one could blame you, Sire, for giving offices to these governors when you should have given them to the others instead.<sup>57</sup>

25. But, someone objects, 'A governor could make many mistakes because of his anger and so he should have people to restrain him'. And yet many who found them enraged drove them even crazier; they added anger to the governor's virtue and said that a governor should be fearsome to those he governs, and that they are especially afraid of one who is flashing with anger.<sup>58</sup> They inflamed the anger that derived from something else, but then those who had made themselves directors of the situation<sup>59</sup> in this way carried along those (the governors) who yielded to them in everything.<sup>60</sup> Therefore, allowing everyone to visit them and talk about whatever they want cannot quench the governor's anger but actually increases it or even instils it. It is your task, Sire, to protect the governors from both these things. Without the help of those men, they will

53 An optimistic view: visits might be educative and visitors could inform the governor about things he needed to know.

54 From being exposed to those people the governor might learn slander and gossip.

55 A saying of Bias of Priene, a philosopher of the sixth century BCE; cf. Diogenes Laertius, *Lives of the Philosophers* 1.88, with some variation. The same saying appears at *Or.* 52.28.

56 In the encomia governors appears endowed with every virtue, but see Cabouret 2002 on the contrast between image and reality and Cribiore 2009 on their education, which most of the time was not very refined.

57 So Libanius allows that people who visited might give useful information to the governor.

58 Manifestations of that anger were, for example, the cruel flogging of people.

59 Literally 'those who made themselves directors of it'.

60 A series of exaggerations in the heat of rhetoric.

quench their anger by chanting to themselves<sup>61</sup> and yielding to the reins of the assessors.

26. 'But not all favours are against the laws' – some will object. If they are in agreement with the laws they should be called by some other name, and not *favours*. For if I take things that would come to me from the laws how could this be a favour? From where does the name for this come from? The person who receives a favour owes the giver a repayment, but no favour is due to the judge who serves the laws: he did what he necessarily should have done.<sup>62</sup> 27. I say, therefore, that no one must discuss these things with the judge in either case, whether or not the laws permit him to pay attention to people's demands. Either what is necessary will come to pass because of the laws, even though people are silent, or, if they mention favours not compatible with the laws, when they receive them they receive something unlawful. 28. If someone tells me that prison terms, monetary fines<sup>63</sup> and remission from both come to pass because of those who visit the governors, he should know that what was appropriate for remission would have been remitted even if people had not visited, and in fact this was the case in those instances when there were no visits.<sup>64</sup> But when those measures that should have lasted indefinitely, or at least longer, were changed radically or too rapidly because of a visit, they were changed unfairly. And so, Sire, ban these favours from the courts and in large or small affairs let the judge take action or not by keeping in view not an individual but the laws.

29. 'But aren't you one of those who have paid visits?' someone says. I admit it, but I have also refused to do so.<sup>65</sup> I wished to refuse but was forced to; I avoided it as much as possible, but was overcome by the number and frequency of the invitations. Those who came to invite me at times saw doctors bustling around my body as if I were sick, though I wasn't. At other times they offered for sale the fact that it seemed that they had been unable

61 Cf. Plato, *Republic* 10. 608, where people should chant to themselves to avoid falling once more into love of poetry. As in section 6, Libanius underlines the power of words and their link with magic.

62 This point does not appear in *Or.* 52.

63 Cf. *Or.* 19. 39 and 43, where Libanius talks of huge fines among the other punishments (e.g., pillaging the land and massacring the people) that the emperor Theodosius was preparing to adopt after the Riots of the Statues in Antioch.

64 The same idealized situation is found in *Or.* 52.21. Justice did not always work as Libanius feigns to believe. In certain case the visits to the governor remedied an injustice that had been perpetrated.

65 He says in *Ep.* 797 that he sometimes refused to go to Julian. In *Or.* 1 124, he declined to visit the emperor because he was allegedly sick.

to meet me outside or to find me at home; yet it was not always possible to escape.<sup>66</sup> The proof that I disliked those visits is that I called those governors who did not invite me to see them my personal benefactors. Other people thought that the governors erred by not calling me, but I thought that they were doing what was right and were even contributing to the cause of rhetoric. **30.** I regard the times that I have spent in complete dedication to rhetoric as the most pleasurable for me. And when I say that, it would not be reasonable to disbelieve me. I should in no way be disbelieved. As Aristides son of Lysimachus did not earn even an obol from the tributes,<sup>67</sup> so I did not earn anything from my relationship with that emperor who was noble and splendid in his life and death.<sup>68</sup> Not to receive is noble but much nobler is not to receive what is one's due, especially when the emperor made an offer when the confiscation of my grandfather's property was not fully revoked.<sup>69</sup> Nevertheless, I avoided this too, 'in order' as I said, 'not to profit in any way at all'. **31.** Why did I mention this? So that all could believe that I enjoyed not being invited rather than attending those meetings. If I was not making money because of the man (Julian) who considered it right not to turn a profit in such a way, and if those meetings offered troubles and toils in lieu of tranquillity and took away from my dedication to rhetoric, how could I take pleasure in the causes of this?<sup>70</sup> **32.** 'You did much good to many people through these things' – someone says.<sup>71</sup> Here I will mention the laws again.

66 The envoys of the governors made Libanius pay so that they would tell their master that they could not find him, when actually they did. Similar arguments are found in *Or.* 52.39 but they are less detailed. In spite of many protestations, Libanius did visit some governors and even annoyed them with his advice. He could not tolerate the fact that governors refrained from doing as he thought fit. The venomous second part of the *Autobiography* draws partly on that situation.

67 Aristides was a politician in the fifth century BCE, whose honesty was proverbial; see, e.g., Herodotus 8.79–81 and 95; 9.28; Plutarch, *Life of Aristides* 1. Kauffmann (2006: 227) remarks that Libanius, by mentioning Aristides, follows the advice of Menander Rhetor who says that he should be mentioned in panegyrics; see Russell and Wilson 1981: 166–67.

68 The pleasures of rhetoric bring thoughts of Julian who favoured it. Mentions of the emperor occur sporadically in the late orations.

69 After the revolt of Eugenius in 303 (see introduction, n. 8), Libanius' grandfather was executed and his property was confiscated. In *Or.* 1.125, he says that he refused to accept any gifts from Julian 'though a large part of my grandfather's estate was among his possessions'. He repeats this assertion in *Ep.* 1154.3.

70 Another possible translation: 'If they did not generate money because of the man (myself) who considered it right ...'. On criticism of his behaviour under Julian, see *Ep.* 797 = N97, a letter to a pagan where he defended himself.

71 He mentions at length the way he protected his relatives in *Or.* 52.42–43.

When the governors strengthen them – something that can happen with good governors – the subjects will have no need of me or anybody else. I paid some visits, I admit it. But this would not have happened if there was a law to forbid it. Let this law be enacted so that not even those who are very willing will be able to visit and through it the souls of the governors may enjoy some peace and quiet, since in my opinion doctors should talk to them only about their bodies.<sup>72</sup>

**33.** This too, Sire, needs to be said and to become part of the law, for disregard of this will bring about what seems to have been prevented. Do you wish to learn this too? Let no governor entertain anyone nor himself go to someone else to be entertained. This happens often now. And I omit the shame of those who are sober who see the drunkenness there and cannot refrain from laughing – such are their cheeks, such are their eyes, and such are their tongues. Those who mount horses are more ridiculous than those in carriages.<sup>73</sup> **34.** I leave this matter aside now, but it is right to fear banquets because of the conversations that take place there, during which it is possible to promise favours such as those I just discussed. The host, who is also a governor and therefore is able to grant favours, thinks that, when one makes a toast to his guests, it is absurd and unsuited to the custom of drinking not to add a favour to the wine. So banquets generate misfortune for many. Those who never committed an injustice privately or publicly know well why their affairs are in a total shambles. **35.** Restrain such drinking bouts, Sire. You will free offices from many evils: even though these are not present and do not affect us yet, the expectation of them brings harm. This law, once it is enacted, will also allow the governors to be strong when those people who have weakened them no longer visit them.

<sup>72</sup> Libanius implies that the governors are so troubled and depressed about people's insistence and requests that they need a sort of psychotherapy. Doctors, however, do not usually offer this but heal only the body.

<sup>73</sup> Drunken people riding horses had less control than those who were seated in carriages. In *Or.* 52.48 Libanius develops fully the scene of the governors after symposia.

**ORATION 52 (388),  
TO THE EMPEROR, PROPOSAL OF  
A LAW AGAINST THOSE WHO VISIT  
THE HEADQUARTERS OF OFFICIALS**

**SYNOPSIS**

1–3 Proems.

4–18 Narrative of the facts (4–10 justice is hampered in the courts and in the governors' headquarters. 11 repercussions in the Council, 12 in the army and 13 damage to education; 14–16 bribes increase wealth and power; 17–18 people who pay visits are tyrants).

19–45 Objections (19–21 objection 1: this custom has lasted for a long time; 22–24 objection 2: people do not obtain favours immediately; 25–28 objection 3: the visits might be useful; 29–31 objection 4: teachers should pay visits; 32–36 objection 5: will the law prohibit doctors from visiting; 37–38 objection 6: a governor may feel relief at the visits; 39–45 objection 7: Libanius also paid visits).

46–50 Peroration with amplification.

1. I am coming to the aid of the side of justice,<sup>1</sup> Sire, convinced as I am, since long ago and after so many proofs, that you care a great deal about it. Now I fear not that you will think that I disturb you over something unimportant<sup>2</sup> but that I bring you this advice late. If in fact this seems to you advantageous, I know that you will not blame me for having proposed it long ago. Until now some trepidation held me back, and this has not disappeared now but remains; though it remains, I have overcome it because I thought that it would be awful if I did not put your interests

1 The reference is to justice in a general sense but also because this oration concerns the damage done to the courts.

2 Libanius is sometimes preoccupied with the importance of the subject that he argues and particularly so in speeches addressed to an emperor. In *Or.* 50.1, for example, he states that he is not indulging in trivialities.

before my own safety.<sup>3</sup> Remedying any of these matters would be enough of a consolation even if I come off badly. 2. So what is it that needs to be taken care of? Two wars oppress human life: one is fought with weapons, steel and against foreigners; the other consists of mutual evil actions within the city and at the hands of those who are ashamed neither to live in the same city nor to call each other fellow citizens. It has become customary to decide the one by armies and physical combat and the other through courts and laws. A man might protect himself against those external foes more easily than against the latter who are more often hidden. 3. Therefore there is great deal of concern about these matters, and there are plenty of old and new laws that are established by the emperors as they rule in turn. Those who suffer injustice can take refuge in trials, accusations, prosecutions and punishments. The best is not to suffer injustice, the second best is to inflict punishment, and yet in this case one would hardly cease suffering. But, Sire, some people do not allow such a remedy, which is so good, and fitting, and dear to the gods,<sup>4</sup> to be preserved for those who need it. They should be stopped by your law and anger.<sup>5</sup>

4. So who are these people? Those who sit by the judges during trials<sup>6</sup> splitting their ears for their own advantage, that is, making them pay attention to them more than to the advocates.<sup>7</sup> So now one and now another, by drawing attention to himself, does not let them<sup>8</sup> see what the just course is: they oppose the laws and threaten that if they do not persuade them they will attack the person who does not please them. Those who are more daring seize the same chair, insult the chair on which they sit, insult the

3 This might be more than a mere literary device. This oration would in fact offend many and would attempt to eliminate a custom that was ingrained in Antioch's society.

4 There are more mentions of the pagan gods in this oration than in *Or. 51*.

5 A similar but slightly longer proem is found in *Or. 51.2–3*. There Libanius insists on the weakness of the laws that need to be enforced. The emperor needs them because he cannot be present everywhere.

6 In contrast to *Or. 51* where Libanius starts by describing people's visits to the headquarters of governors here he immediately discusses a pressing problem, how visits hamper justice in the courts.

7 In ancient trials there were advocates for the prosecution and for the defence and a judge. During the late fourth century there was a change in the training of advocates so that the advocate trained only in rhetoric (who relied on technical lawyers (*iureconsulti*) for questions during the trial) began to lose ground to the technical advocate, who had learned Roman law. Over and over in his late orations (e.g., *Or. 40*), Libanius lamented that rhetoric had become weak and students neglected it. The people Libanius criticizes here are those who speak privately to the judge and attempt to prevail on everyone.

8 That is, the judges become confused.



arrangement of the court and insult justice and the judge who takes his name from it. In the afternoon others fill his headquarters; they are more moderate than the first group in so far as they stay away from the courts, and yet they are not at all just because they make such visits for unjust purposes and by persuading the judge when the facts cannot persuade him.

5. The first group of people do the same as the others, who, however, do not dare to do what they do. While they leave after making their appeal, consigning the favour to the judge's memory,<sup>9</sup> the others follow<sup>10</sup> and are there in person for their requests, and those who promised help nod to the contestants so that they feel confident. So how could this be a court of law from which judgment is excluded? And do not think that those who do this and share the judge's chair are only two; there is a bench on each side of it and each bench is joined to another on either side.<sup>11</sup> On all these benches those who are enemies of the law and who are seeking measures outside of the laws leap and shout and do not let it pass unnoticed for what reasons they have come<sup>12</sup> and the reasons for which they have come are evident. 6. These individuals and those who are less daring stream to the headquarters; they have overcome their own need for a nap after lunch and so interrupt the governors' sleep.<sup>13</sup> They do not do this by shouting or calling them by name; how could they? They converse and talk in such a way that those men cannot sleep any more, however much they might want to. Waking up infuriated, the governors hide their anger under a smile.<sup>14</sup> The rest of the day is spent talking about favours and so the subscriptions that governors have to add to documents in their own hand are not made,<sup>15</sup> and the people

9 Such is their insistence that the judges remember their pleas more than the requests of the advocates.

10 There is no respite. The people in the first group attack the judge in court but the second group follows him at home so he is defenseless.

11 Law courts were housed in buildings provided with seats that people occupied according to their respective importance. In Antioch there was a Hellenistic agora with seats used for the administration of justice and a *dikasterion* (court house) that Libanius mentions several times (e.g., in *Or.* 19.26 and 22.6). See Downey 1961: 625–31.

12 Another possible translation is: 'on whose behalf they are present'. Libanius is in general very fond of using neuter adjectives and pronouns in indirect cases.

13 Cf. *Or.* 51.4. Naps after lunch were part of the culture, as they still are in Mediterranean countries.

14 Libanius is always interested in portraying people's reactions and their emotional responses.

15 As so many documents found in Roman Egypt show, the subscription of a higher official was needed to make the document valid. These are legitimate documents that need to be validated.

who need them sit by, longing for them. 7. I would like to tell you what happened once in a governor's headquarters. After granting his last favours at the bath, the governor refused to give more. One man, who had failed to receive any but wished to obtain one from the governor when he was stripped, stripped of his own clothes and amidst general laughter brought his document, together with ink and pen, and did not leave without success, carrying away his subscription along with his sweat.<sup>16</sup> 8. These visits, Sire, deprive justice of strength and confer power to injustice; they free some people from punishment but deprive others of it. They have snatched away from death many murderers, many adulterers, many of those who have violated tombs, many of those dishonest in financial matters, those who do not pay back deposits and loans, those who are rapacious, those who strike others with fists and kicks, and those who have insulted themselves and their dead fathers with their abuses:<sup>17</sup> all these, who rightly should be penalized for every kind of injustice in accordance with the laws, are protected by these visits that abet them and ensure that they ridicule justice. 9. And if one of your subjects steals something and is brought to trial after he has gulped it down,<sup>18</sup> he will not be short of people who would prevent his punishment. As soon as an accusation is brought against someone, he runs full of fear to the man who will defend him and that one in turn will run to the person who will judge the case; consequently, one is a false accuser even though he is not and another is considered a good man even though he is base. In saving many who deserved to be punished, they ruined just as many who were living according to the laws and deserved to live. They continually make the rich poor and humble the illustrious and return to their houses some men punished by fines, others by lead, and others by both.<sup>19</sup> 10. It befits you, Sire – and it is rather easy to do – to put an end to what causes unjust downfalls and dishonourable deliverances,

16 This anecdote – a colourful vignette – does not appear in *Or.* 51. Libanius sometimes describes scenes of this kind, similar to *ekphrasis*, a rhetorical description that allows the reader to view the scene. Compare *Or.* 38.15 with Gaudentius' death.

17 This is a list of all the worst crimes.

18 A vivid poetic expression that Demosthenes also uses in a generic sense (*Or.* 25.40, of a bad politician who 'devours the sheep he is supposed to guard') and in a proper sense (in *Or.* 38.27, of someone who squanders his property by eating and drinking).

19 Kauffmann 2006: 248 mentions a law of Constantine in 320 (*CTh.* 9.7.3) that prohibited whips with lead and other cruel punishments. See Libanius, *Or.* 54.51.3 on a young man and his father who perished in that brutal way. The sophist always opposed floggings of decurions (*curiales*) who had the duty of tax collection and were punished for being unable to collect enough money. He was especially against the brutal punishment of the Council's members.

for to speak is easy. Free the souls of people on trial from the fear inspired by those who corrupt justice.<sup>20</sup> Because of this, they are deprived of sleep as they observe the visits of those of higher station, which do not exempt from fear even a man who has full confidence in his conduct.<sup>21</sup> Night comes bringing him either insomnia or sleep with terrible dreams that contain the arguments against him to the governor and that cause the hearts of those in distress to jump. After enjoying such a night, he meets the day with sorrow because fear has wounded his soul. But, Sire, your subjects should be fearful or not in so far as they have done wrong or not, but not because of any one individual.

11. This will also improve your councils, Sire.<sup>22</sup> Now they put forward these shields and prefer the pleasant life to the honest one.<sup>23</sup> If they did not send in other tongues to speak on their behalf, they would pin their hopes on what they do. People who live honestly profit, I think, from being praised when they are good and do not flatter those who will tell lies. They have a good reputation because of their deeds and do not ask for applause but receive it anyway for their daily actions. 12. The same practice impairs the commanders of the troops or, if you like, the army itself.<sup>24</sup> These men, in fact, consider of little account the claims of their neighbours who cannot tolerate their frequent misdeeds. It will not be a problem at all if a matter goes to court since there will be people to pacify the man who gets angry. The temperate soldier could be an agent of order for the judge and would also live in tranquillity because no one aware of his behaviour

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John Chrysostom, *On the Acts of the Apostles* (PG 60.256.22) mentions the violence of this kind of whipping.

20 In this section (as in section 6) there is a lot of attention to the emotions, which interested Libanius a great deal. Cf., e.g., *Or. 57.14–16*, where he shows an unusual understanding of people's inner life and turmoil.

21 It is clear that only wealthy people of high station sat next to the governor in court or went to visit him. Poor people did not have such chances and were afraid of the others' manoeuvring.

22 Improving the state of the city Council was a concern of Libanius especially in those years. Much earlier in *Or. 11* he depicted the members of Antioch's council as in complete agreement among themselves. But in 388 in *Or. 48* and *49* he upheld the function of the Council but denounced some of its members, especially the most conspicuous.

23 These people were especially those called *principales* or *honorati* or *prōtoi*, a privileged class in the Council who at that time allocated the various duties to its members.

24 This point does not appear in *Or. 51*. As usual Libanius mistrusts the military. He had, however, some friends there such as Ellebichus, the head of the military (*magister militum*) in 383–88. In *Or. 1.232* he wrote that he composed an oration for him that was highly praised.

would threaten him.<sup>25</sup> **13.** The greatest good for a young man, moreover, is education, but it is better to go to a better teacher rather than one who does not know as much. This, however, becomes unclear because of these visits, in which the more ignorant teacher is praised as the more competent, while the more competent comes in second. Whenever someone who has seen this follows it up and reveals the dishonesty, the governor's name adds weight to the vote and is more powerful than the truth, and so rhetoric is in trouble.

**14.** Those who prefer unjust people over those who trust in the laws do not labour in vain but just as farmers labour with implements of agriculture such as yokes, carts, oxen and the plough, and the field is furrowed, the seed is sown, and all the rest is done by those who wish to reap and gather fruits, the same happens when these people wish to reap and gather fruits. This works very well for them. Of the profits that come in, a part makes their tables rich with the fruit of the land and the sea but the other part consists of wealth, gold, silver and garments.<sup>26</sup> Some things they have, others they receive or will receive.<sup>27</sup> They never praise anything as sufficient, but what is there appears little, and they look for something else; it is impossible not to give to them in consideration for the future, so that someone will be ready to help, if there is need.<sup>28</sup> **15.** How is it, do you think, Sire that some who got rid of their own and their fathers' poverty but still came to us in rotten shoes and others in worse condition<sup>29</sup> deal in wheat, build houses, associate with bankers, lend money, have in mind their interests everywhere and leave lots of land to their children?<sup>30</sup> The sole sources of

25 The last phrase is appended to the rest as an afterthought. A rhetor is supposed to consider all aspects of an issue. This sentence, which turns up in all the manuscripts, should not be interpreted as a gloss.

26 In *Or.* 51.9 there is a similar distinction of goods, but garments are listed together with produce. There Libanius makes a distinction between the simple gifts given in the past and the silver and gold given at the present times.

27 Libanius is not talking about the governors but of those who look for unjust favours and hang around the courts.

28 In that way, by keeping them satisfied, people who needed some assistance in the courts were able to appeal to men who knew the legal process and visited the governors for favours.

29 Probably Libanius means they are bare-footed and in a wretched condition. He is always full of contempt for people of low birth (who usually were not well educated) but were able to make it in that society, amassing great wealth. Cf. the example of the fisherman Heliodorus who was even able to acquire the reputation of being good at rhetoric (*Or.* 62. 45–47).

30 The first people are those who worked hard and were able to improve their financial

revenue for all these people are the courts and the fact that some lose and others win, and for both it is bad. They have acquired influence through eloquence and because of this they have gained influence in the city. So every widow keeps her own wealth not for herself but rather for these people.<sup>31</sup> 16. Seeing their great power, the artisans have cowered before them and cowered before their servants too. These people are allowed to whip them, bind them, push them, throw them down and inflict indignities upon their clothes. They, both masters and slaves,<sup>32</sup> determine the prices of objects that are sold. Sometimes they give a trifling price and sometimes nothing. Accordingly, some people worry about their bread while others have all these things. And when they do not have workmen at their disposal, if they need the hands of the artisans, they can have them.<sup>33</sup>

17. How must we regard and call such people if not tyrants?<sup>34</sup> They are not thirty like those of old in Athens but so many that one could not even number them.<sup>35</sup> It does not matter that they do not occupy the acropolis, are not attended by bodyguards and wear the clothes of regular people, but they should not be above the laws under which they live with others and wage war upon them, and should not do all these things when people know and see.<sup>36</sup> What more are tyrannies? You, Sire, fight and hate not only the name itself but the very deed and the evils that come from it.<sup>37</sup> 18. It is not the soldier, the cavalryman, the javelin-men and the archer that make them tyrants but the fact that they influence the governors and that those who have been sent out by your Person for this purpose are instead servants

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situation and yet they are still in modest condition. Libanius argues that the others who were destitute reached wealth in some dishonest way.

31 Cf. *Or.* 39.8, where a man, Mixidemus, is depicted as harassing wealthy widows and begging them constantly for financial help until he obtains money.

32 The masters are the people described above and the slaves are those who asked their help.

33 Like other members of society, artisans might need the help of these people who were able to obtain favours and therefore were ready to work for them.

34 On tyrants at this time, see Malosse and Schouler 2008: 164–66. They argue that the Second Sophistic created the imaginary tyrant (a completely negative figure) in rhetorical exercises and declamations, but the Third Sophistic applied the image to real people, such as the usurper Maximus who threatened Theodosius.

35 After Athens was defeated in the Peloponnesian war, the Thirty Tyrants dominated the city. They were violent and unscrupulous, as Lysias shows in *Or.* 12, where he describes how they killed his brother.

36 A laborious vivid sentence, but the ending seems to be corrupt.

37 In sections 17–20 there may be an allusion to the victory of Theodosius over the usurper Maximus at Aquileia in the summer of 388.

to the intentions of these men. They have often depopulated a village that was wronged by a larger one because the bribe paid by the larger village was larger.<sup>38</sup> Go, therefore, and eradicate these tyrannies for us. You need not cover great distances, be carried over the mountains and overcome some with arms and others with your good judgement, but these people are deposed if you decide to close the governors' doors.

**19.** 'But – one could object – these visits have been known for such a long time!'<sup>39</sup> And in fact for all this time the injustices deriving from them have been known. We must not allow these visits to take place because they have lasted for so long but rather we must forbid them because of those who have suffered injustice. But let a person who treats time as if it were such a powerful factor respond to this and say whether, if a god or a man promised to free us from a long-lasting plague, he would not accept this gift because of the duration of the disease. On the contrary, the length of time should urge us to hurry without hesitation and to clutch this boon.

**20.** If I am mistaken about the consequences of the visits and they do not represent a danger, let them remain. But if things that escape our notice are more numerous than those I mentioned, it is better to grieve that they did not cease long ago than to preserve them because they have lasted for such a long time up to now. We know of some people<sup>40</sup> who closed their doors during this time and were considered better than those who did not. If in the past closing those doors was considered preferable to not closing them, why don't we make the time after my discourse better than the time before it?<sup>41</sup> **21.** What?<sup>42</sup> This did not happen with earlier governors,<sup>43</sup> when a single elder dined in their company, and this old man heeded virtue in every respect and introduced ancient rhetors and poets to the banquet;<sup>44</sup> it

38 On large villages and the accusation that Julian gave some to eunuchs, cf. *Or.* 37.2.

39 The same argument against tradition occurs in *Or.* 53.12 concerning the custom of the banquet at the Olympic games. People objected there that the banquet was an old institution and as such had to be preserved.

40 Good governors.

41 Libanius would like people to learn from his oration and thus improve on the situation.

42 The opponent's objection that earlier governors maintained the visits is missing in this case and there is only the response.

43 Libanius often praises the past (*laudator temporis acti*). People were sometimes irritated by this behaviour, as *Or.* 2 shows.

44 The ancient rhetors and poets are present at the banquet only through their books. A similar expression is used in *Or.* 35.17, when Libanius tells his former students who were silent in the council to 'go to the ancient rhetors' (that is, to their books) to tidy up their style. He also says that in the past conversations could not touch personal issues but had to remain

was risky to go beyond them [the literary authors]. Then even the chorus of philosophers from Apamea (whose leader was like the gods)<sup>45</sup> used to go there sometimes and would leave after conversing for a while. Men of the present day ought to have enjoyed such luck, and I would like it if embassies too should gain advantage from this.<sup>46</sup>

22. People admit that there are some who ask for things they shouldn't but not that they will get them straightaway from those solicited. If the best men obtained offices abiding by good repute in everything, perhaps they would have a point. But since we know who these governors are and from which families, where they come from, and how they got their offices, why should we be surprised that they surrender to those who demand favours?<sup>47</sup> There also are those who, even if they were not persuasive at first, then succeeded by entreating, kissing the governors' head and eyes, grabbing their hands, revering their knees, uttering all kinds of words and even what Satyros said: 'I am begging, give it to me'.<sup>48</sup> Words by their nature could have very great power, such as to incite and quell anger, to do the same with sorrow, and to persuade people to choose war over peace, and make those who seethe with mutual anger lay down their arms.<sup>49</sup> And one would not be mistaken in calling the man who also brought unbearable misery to a feast

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literary. In his correspondence (*Epp.* 406 and 1198 = R149, 153) he mentions similar literary meetings with dinners, conversations and drinking in which the philosopher Themistius and Libanius' cultivated friend Olympius 4 participated.

45 The rhetor John Malalas in the sixth century wrote a *Chronography* that started from a history of Antioch but then became a general history up to the last years of Justinian. He mentioned in book 12 (Thurn ch. 47.4–5) that the Neoplatonist philosopher Iamblichus resided in Antioch at the beginning of the fourth century. On Iamblichus' influence on Libanius, see Criboire 2013: 58–60.

46 Libanius would like cultivated people to be part of embassies. The expression 'gain, advantage' (κέρδος) designates the presence of orators, philosophers and poets.

47 Libanius is starting to examine the governors themselves. The custom of the visit would not impose itself with damaging consequences if the governors were honest

48 These were the words of the actor Satyrus to Philip of Macedon. Cf. Demosthenes, *On the Embassy* 193–195, esp. 195 and Aeschines, *On the Embassy* 156. This comic actor, who took part in a symposium with the king, was asked what he wanted to receive as a gift and begged for a dowry for the daughters of a dead friend of his who were now prisoners of Philip after the capture of Olynthus. Everybody applauded and the king granted his request. Libanius refers only to what Satyrus said, not to his behaviour or character: he was noble and unselfish unlike those people who begged governors.

49 Cf. Gorgias, *Helen* 14 on the power of discourses: 'some give pain, others delight, others terrify, others rouse the hearers to courage, and yet others by a certain vile persuasion drug and trick the soul'.

a wizard.<sup>50</sup> **23.** And so these people are not at a loss for words that persuade one to yield. There are among them those who promise retribution and the end result is more fearsome than the Gorgon since it threatens to let loose rivers of invective. They call their tongues, which are sharpened, ‘daggers’. In all other things they are not contemptible since they put their hands to everything, do not hesitate, and regard a sense of shame as indolence. If a governor loves honours, he is conquered by munificence, and if he makes unjust gains he is held fast by fear. **24.** A man could win over a person he meets but how could he attack someone he is separated from? The base governor will do bad deeds even if no one visits him but will do more when people visit because he would grant to them and to himself favours that are not proportionate to what he gains with their help.<sup>51</sup> And so it is impossible that harm does not result from these visits.

**25.** But – one objects – the visits are useful because the visitors show the governor what he would certainly not see otherwise. But what is this? How could it escape his notice? How would this not be evident since issues have been agreed upon in advance such as those concerning tributes, court cases and the sending of ambassadors, while matters that occur unexpectedly are managed through spies<sup>52</sup> and receive regulation from many sources?

**26.** If, however, it is good to have a partner in all things on a permanent basis, there is the assessor who has the necessary goodwill for the various issues.<sup>53</sup> He knows in fact that when mistakes are made he is the first who will render an account. Since the office is guided by the decisions of both men, why should there be need of others? The man who is all but one with the governor could increase his joy and lull despair. **27.** Still, if these people

50 This must be an allusion to Demosthenes, *On the Embassy* 196–98, the description of a symposium where a free-born girl from Olynthus was outraged. Both Aeschines and Demosthenes (e.g., *On the Crown* 276) used the term γοητής (wizard, magician and scoundrel) of their opponent. Libanius used this term and the verb deriving from it (γοητεύειν) quite often, as in *Ep.* 784.1, ‘to charm a man with discourses’ in persuading him, or *Or.* 11.49.8, ‘the land charmed them’.

51 Libanius anticipates the argument of section 25.

52 Literally ‘inquirers’.

53 Assessors were judicial advisors so that every magistrate with judicial functions had one or more. The post of assessor was eagerly sought out by advocates with a view to securing then a provincial governorship (see *LRE*: 500–03). On the role of the assessor, cf. *Or.* 52.49. In *Or.* 51.25, the assessor is supposed to calm the enraged governor. For an inept assessor unable to speak eloquently, cf. *Or.* 40.7: the young man who went to Rome forgot Greek rhetoric and did not learn Latin rhetoric. In spite of his silence, he became assessor of the governor.



[the visitors] intended to hold a meeting for a good purpose – and this is what the seers predicted<sup>54</sup> – I would allow them; if instead this is a business matter and they will use their meetings with governors for dishonest aims, I can say what it is necessary to be done, but it is up to you, Sire, to carry it out. 28. Let us suppose, for example, if I may, that they will not all be like that but that some could be helpful too. Certainly if most of them are rather bad, a governor will be mostly acquainted with bad individuals. If the saying of Theognis is true – ‘The good person is the teacher of good students, but the bad ruins even those who have a good mind’<sup>55</sup> – then when the visits occur, what instils dishonesty in the governors is stronger, because there is more of it. It is better then not to associate with either of those people rather than with both. Those who can set things right would be barely two, but from flatterers, who are so incredibly numerous, he will get nothing but ample praise, such as, ‘Only Zeus took such care of the cities by giving power to this governor!’

29. ‘Don’t you open the doors even to the teachers?’ one says. I do not. ‘But why?’ Because I know that they will also do these things, and will form alliances and wage wars both disgracefully. I see that they also suffer from the disease of greed, thinking that those who live in wealth are the only happy ones, and that Croesus was more fortunate than Solon.<sup>56</sup> Once I heard one of them envying Midas for his death; he acknowledged that the Phrygian King had died of hunger but that hunger derived from gold.<sup>57</sup> They [the teachers] do not have the chance to get hold of Satyrus, through whom they would have made such requests, and so starting at dawn they prayed to the Sun, and when night came they prayed to Night<sup>58</sup> to have as

54 Libanius is considering the event in a mock serious way: the visit in question required consultation of the gods’ will.

55 Theognis 1.35. Theognis was an elegiac poet from the sixth century BCE. A very large number of verses have been transmitted under his name but many are not his.

56 Libanius may have had in mind Herodotus 1.30–33, where Croesus kept on asking Solon who was the most blessed man on earth. He was the richest but not the most fortunate.

57 Midas was the king of Phrygia in the eighth century BCE. This is an allusion to the myth that whatever Midas touched – even food – became gold. The two following sentences here should be taken together because they allude to the same myth. In *Or.* 25.25, Libanius relates the whole story of the capture of Satyrus, for whose release Midas was compensated by Dionysus with the ability to transform things into gold; see also *Or.* 42.24 and *Ep.* 838.1. Cf. Schouler 1973: 188–89 and note. Cf. e.g., Xenophon, *Anabasis* 1.2.13 about the so-called spring of Midas, where the king was able to capture Satyrus by mixing wine in the spring water.

58 Prayers to the sun and moon were part of common pagan practice; cf. Hesiod, *Works* 336–41 and 724–26.

much money as those who are powerful, but never prayed for their wives and children, and to be healthy and happy. Those who amassed great wealth and in that equalled some and even surpassed others don't permit us to surmise but let us know for certain that this clearly derives from the fact that they followed a way of life different from teachers'. **30.** Sire, hold back those who pay such visits. Do not let them convince you when they say that their wealth originates from the tuition of students and from the labour and work of rhetoric.<sup>59</sup> If this were so, all teachers would be just as wealthy because of their students and their work, which I guess are common to all, yet in fact some are poor, those who do not pay visits – for eating in someone else's house is a great advantage – but the others appear in the list of the opulent. Let the law tell them not to look for anything more but to be content if nothing will be taken away. **31.** But if we ought to put a stop to the visits that took place, how are we to permit those that are not occurring? While we blame those teachers who are at the governors' feet, how will we introduce<sup>60</sup> the visits by those who have not yet done this but who will reap profits from offices as if they were mines to dig and who will not resemble teachers at all? For it was this conduct that did not permit the man who opposed my eloquence to be enhanced as much as possible with regard to his conviction that an office is and will be an occasion for great personal advantage.<sup>61</sup> Not only did greed damage rhetoric but there was a danger in the change of all circumstances, possessions were being unsettled, it was necessary to go a long way, and the buffoon had to remain content with what he had, looking at the natural power of the one who was superior.<sup>62</sup>

59 The limited wealth of teachers is a leitmotif in Libanius' work; see especially *Or.* 31 on the poverty of his assistants.

60 That is, how will we include in the proposed law.

61 This sentence is difficult to construe and the whole paragraph is confused. The man must be the sophist Acacius 6. He is introduced with the same expression ἀντικαθήμενον 'my opponent,' in *Or.* 1.109, where Acacius appears dismayed at the number of people Libanius is able to help in his conversations with the governor and is puzzled by the numerous orations Libanius composed. Acacius aspired to the municipal chair of rhetoric in Antioch that Libanius ended up obtaining and in 360 left the city. In spite of their rivalry, Libanius never criticized his rival's powers of eloquence. On the relationship of the two sophists, see Criboire 2007a: 38–40. The fourth-century Greek sophist and historian Eunapius in his *Lives of the Sophists* 17.497 praised Acacius highly and argued that he would have surpassed the fame of Libanius if he had not died young; see Penella 1990: 107–108 on the tendentious reasons of Eunapius' claim. Cf. Bry 2014–15 on a view that Acacius was a full sophist like Libanius.

62 A very convoluted and unclear sentence. The man who is superior in natural power must be Libanius.

32. 'Yet if you exclude everyone – one will say – what will the law say to doctors, when the body needs doctors? You will not enjoin the governors not to fall sick!' And so the law will say, 'Let the person who knows the art of healing come in, sit down, say something, and listen to the patient speaking. Everything he says, however, should be directed at the pain, endeavouring to overthrow and defeat it and to free the man who called him from the disease. There should be no mention of trial, victory, defeat and investigation, nor any word on behalf of a base man or against one who isn't doing any wrong, making one seem gentle and the other troublesome'. 33. I know this. Much has been said and done by one who had power over diseases and governors but didn't use that power justly.<sup>63</sup> His wealth was proof of his injustice for it showed that, by comparison, some of those at court who are trusted in the most important affairs were poor. He farmed land that the Council sold him setting appropriate and sometimes even higher prices and did it easily, like one who is led to treasures by a dream.<sup>64</sup> This, however, was not caused by a dream, but by the favours of the governors who were persuaded in everything. Selling such favours, he (the doctor) continued to buy things, including the sellers' family tombs among the things that were sold.<sup>65</sup> So the doctor increases his patrimony but for the judges it is shame that is increased. 34. Let the doctor, therefore, heal the sick governor, but he should do it either in silence or with only a few words that really need to

63 Libanius is vague and the text does not allow us to retrieve the name of this doctor who apparently purchased land from the Council because of a governor's favour, thus doing something the sophist especially condemned. In *Or.* 48 and 49, he accused the most influential members of the council of doing the same. Doctors could be highly educated and could have great power like the brother of Gregory of Nazianzus, who had studied not only medicine but also rhetoric, astronomy and mathematics and became one of the court physicians at Constantinople. Court doctors were very influential and often obtained a post in the administration afterwards. Officially appointed doctors in Antioch and other cities had the same privileges and immunities as teachers of rhetoric, and Libanius, in fact, speaks of them after discussing teachers. Physicians' closeness to officials made them quite influential. Generally, on the status of doctors, cf. *LRE*: 1012–13.

64 My interpretation is that he sold his produce at the same (or even higher) prices than the Council. On dreaming where to find treasures, see, e.g., Chrysippus, *Fragments Logical and Physical* 1202.4. See Libanius, *Decl.* 31.22 and 45.

65 A difficult passage that Reiske failed to understand, supposing something was missing. Foerster points to section 9 in *Or.* 47, where Libanius mentioned decurions selling their ancestral land in order to pay taxes. On leaving their properties, they saluted the tombs of their fathers that were situated there. The difficulty of this sentence consists in the fact that Libanius leaves much unsaid. Like the *principales*, doctors took advantage of people who were forced to sell their land.

be said. If, however, he launches into a long disquisition and moves on to what does not conform to the laws, let the governor with his countenance make clear to the people who are present that what he needs is his art of healing, that he will see the sick if he visits only as a doctor. It is advisable that the person who keeps the governor's house and manages his domestic affairs supervise what is going on and compel the doctor in question to remain within the limits. **35.** From this too, Sire, you will understand that it is not right that the headquarters of the governor allow such meetings; I will tell you a brief anecdote with which you will be rather pleased. There was once a man who governed the Syrians and other provincials, was the son of a Syrian, but was Roman; he governed through fear and did not take kinship into account.<sup>66</sup> Midway through his term of office, a discharge that started from his head ran down his throat, caused much damage and deprived him of his voice. A highly praised doctor, who was called to deal with the pain, asked the patient about his condition, and the man did not respond with his voice, for he was in such a state, but opening his mouth he showed what needed medical care, so that the doctor left without having once heard from the governor and carrying away not a word from his tongue.<sup>67</sup> **36.** Past governors had such a fear of people talking during those visits! Now instead it is not ailments that bring doctors to governors but, even when the latter are in good health, the former sit beside them; they do not discuss physical conditions or how they could continue to live in good health but their talks are of the same tenor as their actions. I am not depriving governors of doctors – I would never do something so absurd – but I think that someone who will make them say only what is strictly necessary should control their mouths.

**37.** 'But then will we begrudge to the hard-working governors the relief that is inherent in these visits?' But what relief? The work that derives from these visits requires more time than that given to documents and other necessary matters while the time allotted for urgent business is little rather than being longer, so that often it is time for dinner but they are still busy with writing.<sup>68</sup> **38.** I also wonder whether after a feast that is double and so lavish they seem to some to need leisure and to be unable to live unless they have this kind of relaxation, as if it were a rest from the meal.<sup>69</sup> All governors, those of the past and these now, had intervals

<sup>66</sup> This governor cannot be identified.

<sup>67</sup> As usual this description brings the scene in front of the reader's eyes.

<sup>68</sup> On governors oppressed by many affairs (mostly unimportant), cf. *Or.* 45.18.

<sup>69</sup> The passage needs some textual intervention. I take the whole phrase as ironic. The

of rest to relax the tension, such as contests of chariot racing, the favours they receive in theatres,<sup>70</sup> fights pitting men against the tusks of beasts, melodious chanting of youths interspersed with drinking. The flute, the pipe and the lyre are not ruled out and there is also the pastime of dice that brings frustration but also pleasure. But if there is need of some more refined entertainment, there is the muse of the poets and the performance of rhetors. He can hear from both encomiastic compositions about himself<sup>71</sup> and whether they speak the truth or not at all this can relieve the toil over his affairs. Not even this reason, therefore, could justify the visits.

**39.** And this is what they think is the best argument against my proposal, for one says: 'But you too were among people who visited governors!' Oh yes, I did, but reluctantly both then and now, and against my will, and saying, 'Oh Heracles!',<sup>72</sup> and considering the business a punishment, and looking with displeasure at the man sent to summon me: at times I found an excuse not to comply and at other times I paid someone to say that I could not be found. Those who took the money are witnesses of this. So who would be so foolish to purchase the opposite of what he wished and to wish to make a visit and yet to pay money in order not to visit at all? **40.** And, moreover, nobody could show that I went to the governor first in the afternoon without being called,<sup>73</sup> but, as soon as he received his post, he came.<sup>74</sup> One governor sent for me and another did not want to. What did I do? I went to see one and did not go to the other. Since I did not know how to be a nuisance, I thought that it was shameful on arrival to knock at a governor's door. One could not accuse me of making such a trip of my own will, not even to visit Cynegius,<sup>75</sup> who, as soon as he saw me, dismounted

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governors have a double feast (with drinking and a meal) and yet they care so much about the visits, they 'cannot live' without them. The visits, therefore, are intended as a rest from the banquet (which should have been very relaxing and not much work). My translation takes *oûk* at the end of the phrase as an intrusion. I prefer this solution to Foerster's conjecture. However, it is possible that something has fallen out at the end of the previous section.

70 Yet *Or.* 41 revolves around the lack of acclamations in theatres.

71 Cf. *Or.* 40, on a governor requesting both rhetorical and poetical encomia.

72 A frequent exclamation in all Libanius' works that denotes feelings of impatience and puzzlement.

73 The same behaviour as with Julian, *Or.* 1.124, where he says that the emperor asked him to visit often and Libanius replied that he would do so if Julian invited him first.

74 A very condensed phrase that seems to mean that, as soon as the governor arrived, he sent someone to invite him.

75 Cynegius 3, to be identified with the official attacked in *Or.* 30.46. There Libanius said that he was hated by the gods and was an avaricious Christian who obeyed his wife in

from his chariot even though there was no precedent for this. I could list not a few people who neither forced others to visit nor were forced themselves. **41.** One says, 'The person who is summoned is allowed to sit down but you would follow him standing up.'<sup>76</sup> How could I have not done that since a governor called me and made a great thing of it? It was impossible for me not to go; it was impossible not to suffer anything unpleasant. It is not only the temper of those who are emperors that is harsh, but it is not easy to put up with their powerful subordinates when angered and many have died because of such anger. It is very easy to bring a false accusation through an informer, to persuade witnesses to utter lies, to give oneself full authority in a verdict, to put someone in chains, and to give some command to the man who handles those affairs. **42.** Someone taught me this fear and I escaped with difficulty from him, but a relative of mine, a priest of philosophy, could not escape.<sup>77</sup> Schooled by what I suffered, I rightly guarded myself from the hostility of every governor. And if I was able to escape from them, they had people to aim at, some inside the walls and others scattered in the countryside: they would keep away from myself but would bring me pain through those others.<sup>78</sup> It is so painful not to be able to help those who are close, to see them pulled to pieces, and to have nothing to contribute except sorrow. **43.** So I made these calculations to myself and listened to those who were afraid and asked me not to throw them into an abyss from which no escape was possible. The second alternative<sup>79</sup> was clear also, because, if my friends resisted, their affairs would have been stricken. Coming to their rescue, full of concern for them, thinking that they spoke justly, and yielding to necessity and the gods, I went where I had no heart to go. **44.** In addition to that, I kept on seeing fathers who had entrusted their sons to us who said that they needed those visits, even though justice was entirely on their side, and that other alliances were burdensome because they had

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everything. Here Libanius is very cautious or simply remembers a time when the official favoured him. The image of Cynegius in section 46 is favourable too.

<sup>76</sup> In *Or.* 10.3, Libanius said that when he visited Proclus he sat down and remained silent. In *Or.* 2.7, he argues that he sat in an inconspicuous place, even though he could occupy a more honourable seat. Here he is accused of getting up to converse freely with the governor.

<sup>77</sup> It is difficult to identify both figures. Foerster surmises that the relative was his uncle Phasganius. See *Ep.* 283 = N64 from the year 359/60: Libanius composed an oration for him but delivered a third of it to a very small group of friends because it attacked the emperor Gallus.

<sup>78</sup> It is unclear if Libanius is referring here to relatives of his or in general to friends and acquaintances.

<sup>79</sup> That is, visiting the governors and being friendly with them.

to be paid for. If a man drove them away saying how he felt on this issue, when some other teachers would not say the same to those who begged them, as a result my affairs were unlikely to go well.<sup>80</sup> I did, therefore, what I did not wish to do. I wished not to do it because of the unpleasantness arising from it and because my soul kept away from such negotiations. No enemies ever brought this rumour against me and dared to tell this among their many lies. What need of this recourse had a man who never accepted gifts? 45. What I am doing now is a great proof of what I said. If I enjoyed these visits, I would not be closing by law those welcoming doors. As the displeasure this law brings is a great proof of the passion these people feel for the visits, likewise the fact that I am requesting such a measure from your sceptre is a sign that I find fault with those who open the doors.

46. Cynegius, whom you crowned with praise, co-sponsors this measure with me, though he is now dead.<sup>81</sup> Angered by the system of justice being cut apart and wounded, and able to learn (I do not know how) of the situation, he closed the doors of the governors with a written order: he did well in what he did but, like Diomedes, he did not follow through.<sup>82</sup> I mean, he should have added to that order another one from you and this should have become law, for that would not suffer the same fate as the previous measure. But now that he has died this has become nothing too. 47. So, Sire, considering this speech as coming from both of us, remedying the situation, and honouring a friend, make a law that is not less valuable than those you have made before. Permit only the pleaders who win with the truth to win. Let the law also include banquets and drinking parties and let the governor neither invite and receive in his house nor run over when he is invited: each of these things damages justice. The man who receives the cup of friendship usually asks for a favour as he holds his hand out, and the governor who is ashamed at the cup knows that he will not do what is just but nods anyway.<sup>83</sup> The same happens with a second person, a third one, and with each one of them. The wine cup goes to all bearing profit with

80 He would lose students, something of which he was very much afraid.

81 Cynegius 3 died in March 388. In this section, as in section 40, he is presented as favouring Libanius and agreeing with him on the necessity to close the doors of the governors.

82 *Iliad* 9.56: Nestor tells Diomedes that he personally will finish saying what Diomedes started.

83 Passing around the cup of friendship was part of the etiquette at symposia (cf. Aristophanes, *Acharnians* 985 on φιλοτιμία (the cup of friendship) and especially Demosthenes, *On the Embassy* 192–93, a passage to which Libanius alluded before (*Or.* 52.22) when Philip granted a favour to Satyrus over the cup).

itself. While he drinks, he might say something and the same can happen when he dines. The pleasure of slandering is not less than the joy of eating, and Dionysus opens the door to all kinds of words<sup>84</sup> and the joyful occasion has brought misery to many, as the man in the governor's chair is bound by his words. So do not let him invite and give feasts in his house nor let him be the leader of a band of mercenaries allowing them to say and do what they want. **48.** I cover my face in shame as I consider something else.<sup>85</sup> The governor is brought in his carriage in his important belt of office and is escorted amidst the citizens not to change any of the wrongs for the better but in order to lunch and be full of wine and meat. All the spectators know that, and the sense of respect they are feeling is no longer as great as before, and when they<sup>86</sup> return it is not there at all: they are ridiculous and differ from wine skins only because the latter do not talk and do not disgrace themselves. Their tongue, however, cannot keep quiet but roams about and causes laughter. As long as he is in the carriage, he fights sleep, but, once he arrives, he is defeated, and night comes before night. But, Sire, who do you think are those who obey him when they witness such things? How could they maintain sober conduct when drunkards govern them? And what are likely to be the conversations as they entertain? What have they left unspoken? **49.** In previous times, however, things were different, but there was only one public meal – that with the Emperor – and for the rest they had to look at the roof of the governors' headquarters. Nobody (and for no amount of gold) would have dragged any of the governors to his table, not even if he were himself a higher official. Yet now even private citizens can do that, and the person who is invited both receives and confers honour. The man who is not a governor any more is a private citizen, even though he has held very many offices. Receiving the governor for this reason, first he weakens the dignity of his office, and then he has him in his power, and can ask for any favour.<sup>87</sup> Let the governor talk to his own cook and say whether the sauce he made was pleasant, or not to his taste. If he has a

84 Dionysus, that is, a frequent metonymy for wine (cf., e.g., *Ep.* 1198.2 for a jolly gathering in which Libanius participated).

85 At the end of the oration the negative portrait of the governor is complete. This is a memorable scene viewed by both Libanius and other spectators. These governors swollen with wine and chattering unceasingly are a laughable, repugnant spectacle.

86 The governors in general or the governor with the other participants in the banquet.

87 These were the most influential members of the Council against whom Libanius often inveighs. A law of 377 (*CTh.* 1.16 13) prohibited them from visiting judges privately. After this historical excursus, Libanius returns to his own views.



wife and children, they can dine with him, and if he does not have children yet his wife can; but if he has received his post before getting married he has the assessor who will talk with him and listen.<sup>88</sup> **50.** I think that those who have governed in this way did not consider their office a burden because of the many people they met. Do not let these men have this belief and do not let those who say that they care for your interests – while they really don't – bring their own power against my speech. Since they have become prosperous because of you let them grant you as much as to allow you to introduce a law that benefits all the laws. Strengthen, therefore, the offices, restrain the injunctions of those who are not governors, and remove the threats to slander the person who does not obey. Know that splendid rewards will come to you from Dike, the great goddess who is flourishing again.<sup>89</sup>

<sup>88</sup> On assessors, cf. note at section 26.

<sup>89</sup> A grand conclusion dominated by Dike (Justice), more solemn than the ending of *Or. 51*. Libanius appeals to justice in the first section of *Or. 52*.

**ORATION 63 (388–389),  
FOR OLYMPIUS**

In the absence of a good codex, Foerster said that he had made fewer emendations in **Or. 63** than in Libanius' other speeches; for the same reason, Reiske did not include it in his edition. The text, in fact, has required extensive work. Foerster called this speech *oratio vel potius scriptio*, that is, an oration or better a composition, probably because of the loose argumentation and order of the parts.<sup>1</sup> Libanius wrote **Or. 63** in 388 or 389, to defend himself against accusations that some injustice was perpetrated when his friend Olympius 3 died and left a will that made the sophist his main heir. Scholars have always considered Olympius a pagan because of his close relationship to Libanius, and on account of the inheritance. In what follows, I will show that Olympius was in fact a Christian, and that the trial that followed his death was a notable affair, of considerable import not only to Libanius but to the city of Antioch and some eminent pagan and Christian figures.

The oration should also add a level of nuance to the prevalent view of Libanius the pagan. Olympius was part of the circle of friends of Libanius which comprised the official Domitius Modestus 2, the philosopher Themistius, Florentius 3, Celsus 3 and Datianus 1, a circle to which both pagans and Christians belonged. **Or. 63**, however, testifies to what appears to be a uniquely intimate friendship between a pagan and a Christian, and so alerts us to the possibility that other similar cases may have existed in the fourth century. Though scholars have pointed to some instances in which people of different religious allegiance corresponded and asked favours, nothing comparable to this close friendship has ever come to light.

The friendship of Olympius and Libanius developed from the fact that their families were close, and it lasted throughout their life. Libanius' correspondence traces the events of their relationship: he advised his friend when Olympius encountered some difficulties after being governor

1 On the terms *scriptio* and *scriptiuncula*, cf. the introduction to **Or. 53**.

of Macedonia in 356 (*Ep.* 581), and attempted to help him become part of the Senate of Constantinople (*Epp.* 99 = B83; 252 = B84; 251 = B66; see also 265 = B67 and 253 = B78); we learn that Olympius' finances were not prospering and that he was honest and did not make any financial gain from his governorship. Olympius tried in vain to help Libanius with the restoration of his imperial salary (*Ep.* 258 = B145) and the sophist reciprocated by helping to advance the careers of members of Olympius' family. A number of letters let us glimpse the intimate details of their friendship: they visited friends together at night, strolled in the gardens of Daphne chatting of various things, talked of the grand house Olympius was building for which Libanius asked a poet to compose epigrams, and spent whole days listening to speeches and discussing rhetoric (*Ep.* 1252).

In *Autobiography* 275–78, Libanius recounted the whole affair of the inheritance. Olympius had meant to do him a favour but the reality was different because he had promised gold and silver to many people who then claimed some rights. Trying to defend himself, Libanius was not in usual terrain and had to abandon the rhetoric he loved. People did not allow him any respite and he was forced to sell much of the property. At the same time, to make his dejection even more acute, the woman who had been the companion of his life died.

It appears from **Or. 63** and various letters that Olympius had an older brother, Miccalus, and a younger one, Evagrius. Miccalus obtained office (*Epp.* 97 = N53, 149 = N61), married and had children, but became estranged from Olympius, and this speech provides a glimpse of their difficulties, which are not apparent in the earlier letters. These seem to have originated with their mother, who preferred the younger son, Olympius, to his older brother, and put him in charge of the family patrimony. It is evident that Libanius is partial, and justifies her decision on the basis of the stronger character and sounder behaviour of his friend. Miccalus, however, must have regarded the whole issue as an offence and probably thought that his brother had plotted against him. It appears that Olympius lived with his mother, was always concerned about her, never married, and could not leave Antioch because of her (*Ep.* 70 = N43 and 251 = B66). The speech also gives some impression of the paternalistic attitude of Olympius, who regarded his older brother 'like a son'. When Libanius wrote **Or. 63**, Miccalus was in any case already dead, but members of his family had claims (cf. section 12).

One of the things to which Miccalus objected was Olympius' way of life after his mother died. Section 31 clarifies that he lived with some

women, supposedly virgins, who kept house for him, and that he had adopted two little girls since he did not have any children. Micalus may have been enraged over the whole situation for monetary reasons, because he feared that his brother would spend his patrimony in this endeavour. It is also possible that he did not approve of this controversial custom, denounced by pagans and Christians alike. The women, called *subintroductae* or *syneisaktoi* (females brought in surreptitiously)<sup>2</sup> or *agapetae* (women held in chaste affection), who lived in spiritual marriage with one or more men (not only clerics), constitute a fascinating chapter of church history.<sup>3</sup> There are many references to them starting from the late second century CE. Among those who objected to spiritual marriage were John Chrysostom, the Cappadocian fathers, and especially Jerome. Though at least six church councils of the fourth century banned this practice, it lasted till the Middle Ages. Jerome (*Ep.* 22) condemned these women as lustful harlots, while John Chrysostom was more moderate but still denounced spiritual marriage as dishonouring individuals and God. In sections 25–29, moreover, Libanius mentions two men who also lived in the household of Olympius and were very close to him, assisting him in every possible way and supporting him during his sickness. The mention of *agapē* (brotherly love, see note, *ad loc.*) with regard to them makes one suspect that these men were united to Olympius by the same chaste bond he had with those women. Far from being pagan, therefore, Olympius lived with a number of Christians in a relationship of continent cohabitation or the benefit of all the parties involved. We may guess that Olympius' younger brother, Evagrius, condemned this custom especially after becoming close to Jerome. Olympius' decision to leave his patrimony to the pagan Libanius may have resulted from his reaction to rumours and criticism.

Olympius' younger brother, Evagrius, had been apparently Libanius' student (Socrates 6.3.2) and with the help of the sophist became a governor under Jovian (*Ep.* 1224 = B168; 1426 = N112). Libanius wrote him a letter praising several generic qualities necessary to a man in public life. He was, however, dismissed from office, flogged and fined, though later cleared. After that, he became a Christian priest and in 374 appears to have been very close to Jerome, who mentioned him in several letters. Many years later, during the schism in Antioch, the Nicaeans elected the priest

2 The first term is a neologism, a translation of the second.

3 See the *Oxford Dictionary of the Christian Church*, s.v. *subintroductae* and the *Encyclopedia of Religion and Ethics*, s.v. *agapetae*. Cf. Clark 1977 and Leyerle 2001.

Paulinus with the support of Athanasius of Alexandria, and when Paulinus died around 388–389 they elected Evagrius (Socrates 5.15, 6.3; Theodoret, *Ecclesiastical History* 5.23). Evagrius died soon after, but a letter of Ambrose (*Ep.* 56) shows that he was still alive in 392. **Or. 63** seems to refer to the period when Evagrius was alive and implies that he was the man who contested the inheritance. He was apparently the main opponent of the sophist and attempted to nullify the terms of the inheritance.

What gives further poignancy to this speech is the fact that Libanius deeply identifies with Olympius. When he speaks of his dead friend, the honour that should be given to him and the neglect and scorn that the dead usually receive, Libanius is also projecting himself into the future. He was old and sick and died a few years after composing this oration, a fact that may partly account for the disorderly style that does not closely follow rhetorical rules. In his last letter, *Ep.* 1112, dated to 393, Libanius wrote to a sophist, wishing for him to obtain good things from Tyche since he was a just man, but he added that ‘the quantity of ills and especially the foremost of them [the death of his son] has made and still makes me wish for death, and this pain is so incessant that I think that the gods are displeased’. When confronting death, Libanius feared how his fellow citizens would treat him afterwards and wondered if he had deserved his bad luck because of some injustice he had committed.

## SYNOPSIS

It is difficult to produce a good synopsis of this speech because the various sections are not distinguished clearly and the oration proceeds in a somewhat disorderly fashion. The narration of the facts and the refutation of the various people who had expressed claims to Olympius’ inheritance are sometimes intermingled in the same section. The narration, moreover, is split among various parts of the speech, so that the whole affair, with its ramifications, becomes clear only at the end.

1–3 Proem.

4–5 Narration of the events.

6–10 Response to some claims.

11 Response to the lawyers.

12–16 Refutation of more legitimate claims.

17 Further narration of events.

18–20 Refutation of other general points.

21–24 Refutation of the governor and of the main opponent.

25–29 Narration of other facts and response to the objection that two worthless men inherited from Olympius.

30–35 Narration concerning Olympius' mother and brothers.

36–40 Response to those who pity Libanius' situation. Theme of friendship.

41–42 Amplification and peroration: the dead need respect and those who insult them are cursed.

1. I can no longer tolerate these people who can't cease from the slanders<sup>4</sup> against Olympius, which they have made in disparagement of a dead man, since he is no longer alive. They must learn that he is not completely dead as long as his friends are still alive.<sup>5</sup> 2. Being the first among them, I had to be open in my resentment against the man who has benefited from Olympius' courage more than others.<sup>6</sup> Since he did not spare any trouble in order to advance my interests, it would be dreadful if I did not repay my gratitude with a speech. If the slanderers did not believe that it [this speech] would appear, let them know that their assumptions were not right.<sup>7</sup> But if they believed that I would do the right thing and write, it is shameful for me to appear inferior to the expectations of my enemies. 3. I know I will stir up a war against myself, because those who will be exposed for their injustice will not possibly avoid scheming against us, and will do that at every opportunity. But for me it is no more right to be afraid of their plots than of betraying justice in the interest of my companion.<sup>8</sup> If in fact he were suffering this when he was alive and had the ability to help himself, even under those circumstance I would not be praised for my silence, but

4 Libanius does not use the word βλασφημία with the meaning 'to speak irreverently of sacred things and the gods' as in Demosthenes, e.g., 18 10, but with the meaning 'to slander'. This term often appears in *Or.* 34, which was written to respond to the slanders of a pedagogue against Libanius' curriculum.

5 The theme that after death his friends defend a man's reputation so that he is not completely impotent but is able to react against injustice is sustained throughout the oration, reaching a climax towards the end.

6 This is Libanius' main opponent, as I argue, Olympius' brother Evagrius. In spite of the efforts of Olympius to defend him, Evagrius was ungrateful, an allusion to his dismissal from office in 364. His behaviour is contrasted with that of the sophist who feels a duty to reciprocate the favours of Olympius.

7 His opponent believed that he would not speak on the subject and yet he is doing it. The theme of broken silence opens several of his speeches, e.g., *Or.* 38, 53 and 41.

8 Education was the common bond between ἐταῖροι, friends, companions', while religion did not play a fundamental role (cf. Criboire 2007a: 108–09).

the reproach would be less harsh. But, now that he is dead, if I openly neglected the only help that the deceased receive from the living against those who accuse them, being practically on equal terms with those who slander him,<sup>9</sup> I would not find any decent excuse for suffering their words in silence.

4. I was expecting that all the people in this city were going to say many noble things about him because I was taking into account the situation before this illness<sup>10</sup> and the fact that when he was sick they often came every day to visit, trying to outdo each other in this and thought it equally worthwhile to add the nights to the days.<sup>11</sup> At night in fact they caused a nuisance on the stairs, went up and down, and again up and down, and when the doctors did not allow them to go where he lay, they sat by the doors and kept company with the female servants.<sup>12</sup> 5. I believed that, when the end came, these men would be consistent and say things that corresponded to what they had done. But they – how could I describe adequately their inconsistency? Even if they had spent all the time bringing accusations against him,<sup>13</sup> some claiming that they had been wronged in this but had committed wrong in that they would not have poured out so many words there, going throughout the whole city.

6. What is the reason for these words? Some people say that they do not appear at all in his will and this is their allegation. Now, let us talk to them first. Gentlemen, how would he have started distributing his possessions among all the soldiers, all the advocates and all those who pay taxes to the council? Not even if he surpassed in wealth and means Midas as well as Croesus and Cinyras would he be able to fulfil this tremendous greed of so many men.<sup>14</sup> 7. What was their rightful claim towards Olympius? They had not travelled long distances at his bidding nor endured a long, perilous

9 If Libanius refused to defend his friend, there would not be much difference between himself and those who slander the dead man.

10 The expression shows that the disease and death of Olympius occurred recently.

11 Cf. Martin 1988: 67 commenting on *Or.* 2.22, where the sophist says that in spite of his old age he was always visiting the sick. In *Or.* 1.105 he says he visited the sophist Zenobius every day when he was ill and in 36.7 he either visited the sick advocates in person or sent people to inquire how they were.

12 These are the same women who are slandered by people in section 31.

13 Even if people had accused Olympius fiercely when he was alive (and in fact they did not) they could not be more evil now that he was dead.

14 These mythological figures, who symbolize fantastic wealth, often appear in Libanius: Croesus king of Lydia, Midas of Phrygia and Cinyras the legendary king of Cyprus; see, e.g., *Or.* 25.23; 47.31 and *Or.* 52.29.

sea voyage to serve his interests, nor did they drag off ships that might be treacherous.<sup>15</sup> They did not even spend a long time meeting with him daily to entertain him, neglecting their affairs. And neither could they mention sharing his table,<sup>16</sup> his baths, his pastimes nor say that they gave and received blows while struggling with those he had mistreated or were about to mistreat this man. If you took hold of one of them and asked, 'Why do you feel entitled to a share of Olympius' inheritance?' He would not be able to say anything, except that he was 'a man born from a woman', and 'was one of those who eat the fruit of the earth'.<sup>17</sup> I am surprised that he did not also attract the slanders of donkey drivers and muleteers, and of those who fetch the produce of the fields for us with the camels.<sup>18</sup> **8.** And so yesterday someone coming from somewhere<sup>19</sup> said that he is wronged by the will. He declared: 'None of the councillors got anything at all, even the smallest share, although they had done him favours!' In fact, in return for the good things Olympius did for the council as a body and for the councillors individually one by one, he held them persuaded in some cases with no opposition. For he was the one who prevented the councillors from going to prison when the city was trembling in fearful expectation of the wrath

15 In the first hypothesis Olympius would call a friend or someone to help from afar; in the second, people would travel to support his financial interests and then they would drag off shipwrecks, perhaps pirate ships that could compromise Olympius' interests. Pirate ships were common in the Mediterranean. Libanius uses the same verb 'to drag off' for ships again in *Or.* 15.38.6 (which refers to the loss of the navy during the Peloponnesian war) and *Decl.* 17.1.32.6 (ships at Marathon). Olympius had been governor of Macedonia and some of these activities might be connected with that.

16 With Christians, the reference to table-sharing might have some resonance with the Eucharistic meal (cf. 1 *Cor.* 10:16–17, 20–21), though Greek authors, including John Chrysostom, used the expression to refer to human association and friendship.

17 For the phrase 'a man born from a woman', cf. Democritus, *Fragments* 32.3; Aristotle, *Metaphysics* 1049b.25, *Physics* 190b.21 and 193b.8. See also Galen, *On Seed*, 4.630.10 Kühn. For 'he was one of those who eat the fruit of the earth', see *Iliad* 6.142, where Diomedes confronting Glaucus in battle asked him if he was a god or a common man. This phrase, not exactly a parallel, was probably in Libanius' memory and had become a common saying. It is echoed in Hesiod, *Fragment* 211.13 (lacunose), in *Orphic Hymn* 63.14 and Lucian, *Death of Peregrinus* 29.7 and *Teacher of Rhetoric* 11. Libanius means to say that Olympius was a common man and that those who claimed that they had a special connection with him that entitled them to inherit were wrong.

18 An ironic aside to show that 'everyone' had claims.

19 This was a common man, not particularly important in the eyes of Libanius, even though he appears to be a member of the council. The expression with which he is presented deliberately plays down his importance. He represents the other councillors who had some claims.



of the ruler, and he alone offered himself as a guarantor for the others, who were taking care of their own business.<sup>20</sup> He was the one who removed all fear by offering his own money to those who were undertaking liturgies.<sup>21</sup> It was Olympius who made the governors cease from their anger, appeased them, and explained that the members of the council should not be deprived of their due honours. This is what he did for them, many great things, and this is what he received from them, few things of little value, so that they remained indebted to him after he died. **10.** And so how did he still owe you a repayment for the services he rendered? As if someone would also compel a doctor, who had revived a sick patient, to pay money in addition to the man who survived his illness, or, by Zeus, as if he would make a pilot who saved a ship pay the ship-owner or a teacher of rhetoric pay the student who has learned eloquence. The council acted when Olympius wished this or that to happen and he did the same when the council wished for something to happen.

**11.** Concerning those who assist and help people who are on trial in the courts, first I say that, because of Olympius' generosity, they are receiving a fee for their assistance that is larger than what is legally prescribed, and that it would be unjust for them to denounce the will; they are not included in it because they already have the compensation for their assistance.<sup>22</sup> For not even in other transactions, when they offer inheritances for sale among those that are purchased, do they demand any profit besides the compensation they have for what they put up for sale. And yet the man who makes earnings of this kind has another pretext for profit, which I do not find in your case. You have only that duty while the other has also done something else – but this is not the time to talk about it.<sup>23</sup> Yet many complaints and

20 Popular disaffection made people stone the imperial portraits and demolish statues in the spring of 387. The rebellion was called the Riots of the Statues and John Chrysostom first delivered *Homilies* that were contemporary with the events. Libanius composed several orations on them (23, 19, 20, 21 and 22) after a settlement was reached. After the riots Libanius persuaded the emperors to be merciful towards the councillors. Yet his speeches did not influence events.

21 A liturgy was a compulsory public service that usually entailed a financial burden. On liturgies affecting students and those just out of school, cf. *Or.* 55 and 35.

22 A number of people had claims to the inheritance. The advocates who handled the will also requested more money, though they had been fully compensated when Olympius was alive, thanks to his generosity. On the great number and eminence of the advocates, see *Or.* 54.82, which proves that the case was particularly important.

23 This section is convoluted and a bit obscure because much is omitted and our knowledge of these transactions is limited. It seems that the advocate who took care of a will only got

offensive words come from those who are councillors and lawyers and those people who love to slander (which derives from the fact that they have nothing to do) follow them.

12. Enough has been said for the present to those who slander [Olympius] because they did not receive anything.<sup>24</sup> But on condition that one could express more justified complaints and invoke the earth, the sky and the sea, each one with its gods and divinities,<sup>25</sup> people of this sort have been honoured and still utter reproaches, they have a share of the inheritance and act as if they don't. What Olympius gives with praise, they take with blame. They did not shun his gift but now they are attacking him wherever they are: at home, in the market place, with the governors, in a carriage, if they are sitting somewhere else or are taking a stroll. I believe they do the same even in their dreams. 13. But, if he is so base, so villainous and hostile to the gods, why don't you refuse his gifts? If instead you accept them considering him excellent, why do you falsely accuse such a man? Why do you denigrate a man from whom you have received though he has not received anything from you? Why do you neglect to look at what was given and utter slanders because of what was not given? 'This fellow got more and I did not get as much', one says. Someone else finds fault with the fact that another has received as much as himself. What was Olympius supposed to do if not the former or the latter, when both the equal and the unequal distribution brought about an accusation? 14. And yet we know that fathers have behaved towards their children in this way; they gave more talents to one and fewer to another, while we know that others have allocated an equal portion to each.<sup>26</sup> Sometimes the former course seemed fair, at other times the latter, but in either case the heirs are satisfied. But now both [kinds of distribution] occasion outrage when one receives not as much as another but less, and when one receives as much as the other but not more. They also do not consider the wills by childless men written here in Antioch: one

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payment for his advice, but the other who sold inheritances did more work and, at least in theory, could claim something else. Libanius, however, does not expand on the subject. There is a fair amount of law (see *Digest* 18.4; 5.4.9 and *Code* 4.39) surrounding *emptio* or *venditio hereditatis* (purchase or sale of inheritances). In general, only the inheritance of a deceased person could be sold legally. Libanius says in *Or.* 54.70 that the governor Eustathius was a 'hunter' of such deals and bought one that was useful to him.

24 So far Libanius has referred to those who did not have any true claims. He turns now to people who had done something for the deceased.

25 The impatience of Libanius in witnessing people's protests is palpable.

26 See Justinian, *Digest* 5.2.4 on parents who are often unfair to their children in making them heirs.

might say that some are sensible and yet this is crazy and that some remain within fitting boundaries, while this one is like a bareback rider with no bridle.<sup>27</sup> **15.** If it is necessary to accuse Olympius, one might say against him that he never applied the curb to his will but through such legacies scattered what he had accumulated with time and toil. Are these people making this accusation against him and yet leaving in silence the fact that some people leave something to themselves and something to those ‘away from the truth?’<sup>28</sup> So it was inevitable and perhaps one would have tolerated it, though not easily.<sup>29</sup> Yet now who would not choke upon hearing the exaggerated criticisms against him? They say that the Cercopes, Sisyphus, Phrynonidas and Eurybatus are small in comparison with Olympius and his schemes, ruses and deceptions.<sup>30</sup> **16.** Weren’t you fostering this Eurybatus and Phrynonidas for a very long time and for all these years, honouring him with the most beautiful epithets of the demigods? Thus those who were his friends were envied by those who weren’t, and those who were not did everything in order to be such. They knew that in this way it was possible to avoid the bad and obtain the good.

**17.** These things and still more took place during his lifetime and when the disease choked him and right away ended his life; as long as the will was under lock and key, everybody considered himself heir in his expectations. But when the knife cut the straps, removed the seals and brought everything into the light,<sup>31</sup> and when those who live by profit after expecting one thing

27 Libanius is saying that most of these wills are fine but one is occasionally crazy.

28 Libanius seems to say that some people criticized Olympius for leaving so many legacies (including what he left to him), but they do not say that some leave a part to fellow Christians and part to pagans. The sophist points to the fact that there was a precedent for a Christian leaving a legacy to a pagan. The expression ‘removed from the truth’ occurs in Plato, *Republic* 602 c2 in connection with Homer, who was at a third remove from the truth of philosophy. Occasionally in philosophers such as Chrysippus, *Logical and Physical Fragments* 28 10, the truth is philosophy. More often, however, the expressions occur in Christian writers and first of all in the Septuagint and the New Testament. Those who are ‘removed from the truth’ are those who did not accept the Christian faith.

29 So apparently Libanius was not accused directly.

30 These are all proverbial rogues. The Cercopes dared to go against Heracles; king Sisyphus, who was deceitful, killed travelers and considered himself a peer of the gods, was condemned to roll a boulder up a hill to eternity; Eurybatus was a chthonic trickster who disturbed Heracles during a labor. All these figures are mythological. Phrynonidas, who was not an Athenian but was part of the Peloponnesian negotiations, was evil and mendacious and often appears together with Eurybatus in Libanius (e.g., *Ep.* 620.6) and in classical literature, e.g., Plato, *Protagoras* 327d, Aeschines 3.137 and Lucian, *Alexander* 4.

31 On tablets for wills and procedure, see Lucian, *Timon* 21–22, who describes in detail

saw another – the sherd fell the other way up, as they say,<sup>32</sup> [they shouted]: ‘Dishonest man, liar, perjurer, bandit, thief, enemy of justice; he neither feared men nor respected the gods!’<sup>33</sup>

18. The same man, therefore, was bad and good, was an enemy [and a friend] of the gods,<sup>34</sup> deserved crowns and punishment: the will made him each of these things, the one before it was revealed and the other after it had been revealed. And those who had previously snuck into his good graces are now shouting that he did not even deserve to get a burial, knowing that it is the easiest thing of all for someone who is alive to trample in the mire one who is dead. We see for sure what the dead suffer at the hands of those who intend to profit from tombs. But if one of the gods had suddenly raised him from the dead like those we hear about, the hearts of these insolent fellows who give vent to every claim would have fallen.<sup>35</sup> Again they would grasp his [Olympius’] hands and perhaps his knees too. They take such thought for reconciling themselves! 19. ‘He promised land to each of us!’ they say. What obligation was he under? What power did he see in you and what

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how a will was inscribed on wax tablets and then the seal was removed, the thread cut, and the name of the main heir was proclaimed aloud. On the *apertura tabularum* (‘opening of the tablets’) and the recognition of the seals by the witnesses, see Champlin 1991: 77. See also Amelotti 1966: 183–87 using the testimony of the papyri.

32 This expression – on the fall of the sherd with the other side up – alludes to a game played with *ostraka*. It appears in Libanius again in *Or.* 27.21.7 and *Ep.* 509.4.3. The phrase, which refers to a sudden change, comes from Plato, *Phaedrus* 241b4 and occurs occasionally later, e.g., in Lucian, *Apology* 1 11.

33 Here the narration becomes a sort of *ekphrasis*: the sophist evokes the scene in front of the eyes of the audience and recreates it with *enargeia* (vividness).

34 Foerster introduced the expression ‘friends of the gods’ though Libanius does not always maintain perfect parallelism. Keeping his text, it seems that people had different opinions of Olympius according to their religious affiliation. Pagans inveigh against him as an enemy of the gods because he was Christian, while Christians thought Olympius was a friend of the gods because he had good relations with some pagans and left his inheritance to Libanius.

35 The term ἀνίστημι with the meaning ‘raise from the dead’ usually refers to Christ’s resurrection in Christian writings (e.g., Acts 2:24). The same term, however, already appears in Homer, e.g., *Iliad* 24.551 and then, for example, in Lucian, *Lover of Lies* 11.21 and in Pausanias 2.27.4–5, who alludes to Asclepius raising Hippolytus from the dead. Libanius mentions the same act of Asclepius in *Or.* 13.42. On pure lexical grounds, therefore, it is unclear if the sophist is making an explicitly Christian allusion. The addition that a god might have raised Olympius from the dead ‘like those we hear about’ is, however, very suggestive, since Libanius is rebuking Christians for believing in the Resurrection and yet fearing Olympius’ rising. Cf. *Or.* 17.22, where the sophist asks Zeus to bring Julian back to life.

weakness in himself? Which opponents did he intend to overwhelm through your agency? And what gold, silver, land, or fields was he going to increase for himself? And if not that, out of what danger was he attempting to buy his way? Was someone bringing an indictment against him for harming the emperor's household, was the cross-examination close at hand, was death the penalty, and was it only up to you to squash it, with the land being the necessary recompense that was going to bring salvation to him? **20.** Wasn't Olympius of high station when he was young? Wasn't he formidable in his ability to tear apart others, hard to fight against and accustomed to defeat others rather than suffering that? Weren't your means great in themselves but inferior to his? How is it that you didn't make any promises to him (neither greater nor smaller) but he promised such great things to you? 'But – they object – it was not the whole patrimony, but only the third or fourth part of it!' But even in this case it was a lot and for no reason.

**21.** Nor indeed do I think that I should say any such thing to our current governor<sup>36</sup> knowing that Olympius was just and that the governor will fight together with the party of justice,<sup>37</sup> and that there is no need to make a hubbub to one in such a position<sup>38</sup> about a money matter, since one would be unlikely to achieve anything. I also was really scared that he [the governor] would speak himself and the other [my opponent]<sup>39</sup> might with a shout lay hold of the man who had said such things, and, after assembling the most distinguished people in the city, would say that he suffered an act of violence and would prosecute for violence or, worse, for violation of the laws and the courts.<sup>40</sup> **22.** But if my opponent had actually said such a thing, the other man who heard (the accusation)<sup>41</sup> would have borne it

36 Eustathius 6. The objection to which Libanius responds is: why didn't you talk to the governor?

37 It is clear from the following section that Eustathius was dishonest and unjust (according to Libanius). He was supposedly among those who were misled by the promises of Olympius (who nevertheless was just) and so he would fight for his rights together with the others who felt cheated. The 'party of justice' consists of those who invoked justice and claimed some money. Libanius uses the expression ironically.

38 Βοῦβηϊν is usually used for the noise of bodies falling or for bees buzzing. Only in Plato, *Crito* 54d4 and *Republic* 564d7 is it applied to the sound of the voice. Τόπος in a letter to a teacher means 'position', 539.1.3; see also 844.4 of someone going from one position to another.

39 The opponent was Evagrius.

40 From this it seems that Libanius was aware that Evagrius' rights were violated to some extent. The case was very difficult because Evagrius was the only surviving relative.

41 That is, the governor Eustathius.

patiently. Even now he is annoyed at bribes that are small and proclaims to everyone: 'I am not at all different from those people whom I condemn, who have disgorged bribes<sup>42</sup> and then suffer punishment, but, reasonably, if I suffer punishment with them, I inflict it: my purpose is the same as theirs but I am luckier!<sup>43</sup> 23. As for other people who serve as governors, those who profess to be their friends<sup>44</sup> say the same about them and so force me to say the same about them, that they went through many offices taking bribes: while they serve as judges, they give thought to what they should receive,<sup>45</sup> and when they come to an agreement they receive their bribes. 24. I am convinced that such a promise was never made and that the man [Olympius] did not lie. But in case this happened exactly like that, I would pardon a man who has misled bad governors: it was not possible to obtain justice in any other way than by offering hopes of profit. The situation demanded lies and someone who would offer empty hopes as bait, or otherwise his own affairs would be in a bad way.<sup>46</sup> It is not possible that trials alone slander<sup>47</sup> nor to say that it is due to promises that another person was wronged.

25. 'But – they say – besides the fact that he did not fulfil his duties towards those people, he erred by giving as much as possible to some worthless men',<sup>48</sup> And they mention so and so, and so and so. But even if he had given them three times as much he would be acting justly for he would be giving what was due to them. Who does not know that in fact

42 This verb, ἐξεμῆν, which means 'to vomit up', usually refers to ill-gotten profit. It is often used by Aristophanes, e.g., in *Acharnians* 6 for the dishonest demagogue Cleon, who disgorged talents. Libanius, however, uses the verb without a direct object.

43 This is a strong condemnation of Eustathius. In the following section, Libanius denounces the greed of all governors as he does in many orations and letters (see, e.g., *Or. 52*).

44 So even their friends are supposed to be aware of governors' injustice.

45 Foerster has introduced a participle (ὄντες) but another participle such as φροντίζοντες ('thinking about') would make better sense.

46 So Libanius justifies a possible lie of Olympius on the ground that society functioned like that. Such lies and promises, however, brought much trouble to Libanius.

47 The plural 'trials' makes the situation more general. The whole phrase is ironical. Trials are personified. Cf. *Or. 51.2*, where the laws do not have 'hands and feet'. Libanius says that someone concocted the accusation concerning the promises Olympius made.

48 A new section starts in which the sophist tries to defend his friend from the accusation that he left some money to two men who were considered unworthy of his affection. They may have been of servile origin or simply belonged to the low classes. People condemned their attachment to Olympius. See below for the possibility of these men living with him in a community of spiritual love.

these two men had become a haven for Olympius, a refuge, a distraction, a consolation, an occasion to be cheerful, and a remedy against pain? 26. And so, neglecting their own affairs, making service to his wishes their life and looking wholly to Olympius, they surpassed<sup>49</sup> everything that is expected of parents, children, brothers and of his household slaves as well. Enduring more travail than the former and willingly carrying out for his benefit the tasks that belong to the latter,<sup>50</sup> they felt greater pleasure in his joys than in their own and in their prayers put his own good before their own. 27. Seeing these things, counting them up and delighting in these men every single day, what was he going to do? Was he going to wrong them through his will and give them less honour than to those who did not have the same attitude towards him? He should be justly ranked among the ungrateful if he had no consideration for their labours, and, when it was time to give recompense, if he failed readily to recognize those who had a greater right than another to have more. One should not pay attention to these men's birth,<sup>51</sup> but rather to their affection, efforts, sleepless nights and distress, nor should one consider whether they gained distinction from holding office but rather who was more kindly and useful than another and who came out better under scrutiny in his company when circumstances put them to the test and proved them. 28. Ask what made Achilles cry and did not let him sleep. It was not the noble birth of his dead friend that came to his mind but the ships and the wars, what they endured together going to sea and making cities desolate.<sup>52</sup> These men did not go to sea with Olympius nor did they go to war with him for there was no necessity. One, however, managed his household (a laborious task);<sup>53</sup> and the other did not in the least recoil from doing what he was ordered and from heeding immediately his commands, almost united into one with him, and didn't resent being summoned at night but drove away his pain, sat by him, and eased him, instead of lying down to sleep. 29. And so even if Olympius had made these men masters of the whole [patrimony], he would be rightly admired. Character is stronger

49 For this extended sense of the verb ἀποκρύπτειν ('obscure', 'surpass'), cf. Julian, *Or.* 1.144C.

50 'The former' refers to Olympius' relations and 'the latter' to his slaves.

51 Perhaps they were freedmen like the woman who lived with Libanius. It is possible that this is a further reason for him to be on their side.

52 See *Iliad* 24.3–13 on the friendship of Achilles and Patroclus. Libanius praises this friendship in *Or.* 40.3–4.

53 Cf. *Or.* 52.34, where Libanius mentions a man in charge of the household of governors.

than any blood in (inspiring) love.<sup>54</sup> No one who loves would hurt his beloved, but a father's hand has actually killed a son and a son's his father – not to mention all the sons disowned and those who forced fathers to go hungry.<sup>55</sup> Since it is fitting in such circumstances to take deeds into account when making a decision, the lawmaker also includes the virtue of slaves among reasons for inheritance.<sup>56</sup> Thus, giving more than necessary to one person is faulted no more than taking away what should be given.

**30.** Furthermore, the situation of Olympius' mother was this.<sup>57</sup> Finding that Olympius buttressed the household while Miccalus did not – it is enough to say as much<sup>58</sup> – she gave more to the one and less to the other without adding any clause to the legacy and without offending the heir by this but leaving him free to use the gift as he wished. She was hoping nonetheless that her younger son<sup>59</sup> would treat his older brother in such a way as to enhance his situation through his own honours. **31.** Olympius, who considered his brother as a son,<sup>60</sup> kept on trying to encourage him to become better, and with the help of the prefect honoured him with two offices. But Miccalus, who was freely exempted from the council because of the offices he held,<sup>61</sup>

54 In Christian texts, ἀγάπη which mostly refers to the love of God for men and, alternatively, of men for God, can also mean 'brotherly love'. So, for example, both St Basil and John Chrysostom employed this word numerous times with both meanings (Basil, *Epp.* 176 and 226; Chrysostom, *To the People of Antioch*, PG 49: 38.26; see also 1 *Cor.* 3). The mention of this word here raises the possibility that these men lived together with Olympius and the women mentioned afterwards in a community of spiritual love.

55 All these were also good subjects for declamation.

56 The current legislation does not include such cases. When the master became insolvent, he could leave his property to a slave who thus became a 'necessary' heir and got the infamy of bankruptcy (see *CTh.* 2 19.3).

57 This section responds to the objection that Olympius' mother had been unfair to Miccalus, the older brother, because she had preferred Olympius to him.

58 Libanius implies that Miccalus was unable to administer money.

59 Olympius.

60 The situation was bound to deteriorate when the roles of the brothers were reversed. Libanius is apparently oblivious to the irony of Olympius' paternal behaviour towards his brother.

61 Miccalus held unknown offices (*PLRE* I: 602). Already in the third century, membership in the city council (*curia*, βουλή) was compulsory for those who qualified and most often it was hereditary. The *decurions* had to undergo public service on behalf of the city, which was quite costly, for example, when they had to take care of the public baths and refurbish public buildings. Libanius, who was of a curial family, was exempted, like all teachers of grammar and rhetoric, but his son naturally inherited the burden. Doctors and those who covered public offices were also exempted from the council's duties. Cf. the Introduction to the volume.



became base towards his benefactor. He cast gratitude from his soul, and never reminded himself who had helped him become such a different person, but was contentious, fought, injured and did only things that brought pain. He maligned the women inexperienced in Aphrodite<sup>62</sup> whom Olympius employed instead of many male servants, alleging that they indulged in shameful pleasures, potions and all-powerful incantations.<sup>63</sup> He also cursed the girls whom Olympius brought up in his household as a consolation for his childlessness<sup>64</sup> and threatened both of them with prison, torture and distress, saying that these things would happen the same day Olympius died. **32.** The fact that his threats were not hidden but were uttered in full daylight and in the ears of all increased the insult.<sup>65</sup> Naturally, all this gnawed the soul of Olympius who feared for the future. He was prevented from being in Miccalus' presence because there were many from everywhere who disclosed that Miccalus had only one objective – to speak against Olympius. They said that many of the witnesses could not stand it so that some left and others remained but stayed on guard. **33.** Does all this seem to deserve crowns of honour? Meanwhile, Miccalus persisted without becoming more restrained, although there were people who exhorted him to cease from an accusation that was unjust and harmful in equal measure. He, however, as time went on, was always more violent and sang only that song from morning to night. Not even bathing made him cease because it fell far short of the pleasure of saying such things. **34.** Olympius mistreated Miccalus<sup>66</sup> no more than Miccalus mistreated himself, since the latter kept

62 That is, virgins. This exact expression is found only in Libanius, though a similar phrase with the adjective ἀπειρατος ('untried') referring to females occurs in fragments of the *Ninus Romance* and later in Nonnus (e.g., *Dionysiaca* 48.248, of a virgin who was companion of Artemis).

63 Cf. John Chrysostom's two treatises on the *Subintroductae* *Contra eos qui subintroductas habent virgines* ('Against those men who have virgins brought into their homes') and *Quod regulares feminae viris cohabitare non debeant* ('That women under ascetic rule ought not to cohabit with men'). See J. Dumortier, *Saint Jean Chrysostome Les cohabitations suspectes* (1955). Indictments of this custom centred on the possible immorality of these cohabitations. John also alludes to φάρμακα ('magical potions'). This accusation was, however, a commonplace with regard to 'seductive' women. Miccalus' accusations do not show whether he was pagan or Christian because Christians too, such as John Chrysostom or St Jerome, criticized this custom.

64 Olympius, who was unmarried, had adopted two girls. It is impossible to say whether they were the daughters of one or more of the women who lived in his household.

65 There were witnesses who could testify to Libanius' veracity.

66 There is an implied objection that Olympius too had been unjust, but Libanius justifies his conduct.

his brother from being gentle with him by hitting, beating and striking him with words, provoking his anger and behaving in an outrageous way that deserved punishment. We have to believe in fact that those who are struck by lightning strike themselves since they attract Zeus' fire with their unjust behaviour, but they would not be ablaze if they were just and pleased the gods.<sup>67</sup> So Miccalus who craved evil was in the evil predicament he wished for himself. **35.** Does anyone believe that Olympius, who caused the prosperity of many who did not belong to his family, would ever hate his brother willingly? It is not possible. He wished to be blameless in this regard too, but the latter inflamed him (with anger). When Miccalus, who was still acting wrongly, died, everyone thought that Olympius would transfer his hostility to the latter's son, but this excellent man outdoes expectation and appears better than his own father.

**36.** There are some who come to me having put on an appearance of grieving for us and they usually say such things, shaking their heads at the same time, as if they would not tolerate any offence against me. So they say: 'Surely he didn't shower you with just things by bestowing on you a title<sup>68</sup> teeming with envy and troubles and giving you possessions that could be laughed at so that it became necessary for others to take harsher measures, and for you, if nothing else, to negotiate peace from a weaker position?'

**37.** But I consider what I received from Olympius when he was alive far greater than everything I got from anyone else, while what he has given me now that he is dead, while small in your estimation, is more valuable to me than a thousand fields. Even nothing at all would have brought me no pain because it was much more important for me that his friendship would be tested, and this would have happened if he had added to the will – as an explanation why he had not bequeathed anything to me – that, being such intimate friend, he was certain that I was not seeking anything for myself.

**38.** And yet, even though this was the situation, some people hoped to stir up hostility against the departed, and this persuaded them to speak about him. I, however, feel friendship for those who are dead too and also do not surrender any love to death, which deprives me of their company; in this way I grant them more honour than those who bring flowers to the tombs, which is something that even a person full of hate could bring out of fear of

67 This is an extraordinary statement, since Libanius was struck by lightning once in his youth (see *Or.* 1.9–10) and suffered similar (but less grave) misfortune many years later (*Or.* 1.77). See Criboire 2013: 45–46. It seems to suggest that he felt that he deserved to be punished. On Zeus hurling the lightning at perjurers, cf. Aristophanes, *Clouds* 537.

68 That is, the title of heir.

the law. Know the way I am: each of the friends who are in the underworld lives in my soul. The nights know this especially. Though I spend my day conversing with the living, the nights bring the company of those: I hear nothing, but I do the speaking.<sup>69</sup> **39.** Those who cannot understand the way I am – especially after so many years – came to make a war on a man who is bound by an adamant friendship, for they really thought that my soul resembles their own, which are small, sickly and slaves to money. But if one of the gods promised to bring Olympius back among the living again for a great fee, I would not mention money to him, since I have none, but, pointing to my body, I would say that he might wish to take that, since I would rather live with him for what remains of my life than spend an entire life deprived of his company.<sup>70</sup> **40.** Stop approaching me with such words while attempting to set in motion measures that will not persuade him.<sup>71</sup> It is not in this way that one will be thought a formidable rhetor or a wizard. I am asking you and everyone else where, when and with whom Olympius was base. Many trials, many judges and many courts of law shout aloud his justice, and you, who slander him, are shouting this too throughout the period when you were his friends. You might be accused but you did not accuse this base man yet now it is clear that you are accusing him even though you are not accused by him. And so either he is good to you or you are bad to him.

**41.** As you do this, do you think that your disgraceful behaviour involves no risk on the ground that the dead do not see you, and it is impossible for them to hear what you say? But those who die after them bring them tidings of what is said and done here.<sup>72</sup> They naturally wish to help themselves.

69 Cf. *Ep.* 1534 = N143: the beginning of this letter presents Libanius sitting by the portrait of the second-century sophist Aristides, a favourite author, reading his books. He was able to evoke him and ask him questions about what he wrote and concluded that such a handsome figure could only produce marvelous eloquence. On Libanius and Aristides, see Cribiore 2008a.

70 The idea of Olympius rising from the dead, as in section 18, returns here. Libanius also mentions that he had not made money from this inheritance, so he would not even be able to redeem his friend. What he offers is not what one would expect, to die in lieu of him so that Olympius would return to the world, but to be dead in the company of his friend. Libanius was tired and bitter. This is another indication of the late date of this speech.

71 Libanius is addressing the lawyers and the person who is not persuaded is probably Evagrius. He continues by saying that the case does not need great rhetorical expertise because the truth was plain to see.

72 Plutarch, *Moralia* 564 B–C (*Divine Vengeance*) on the soul recognizing friends in Hades and talking to them.

Their power is greater because of death itself, and in their wrath they take a swift revenge.<sup>73</sup>

42. I fully trust that those who have living children will lose them and those who do not have them will never have them; their wives will turn to men other than their husbands, and their daughters will offer themselves to cooks before marriage; their sons will not be at all different from their daughters, but, brought to begging, they will not find a giver; through long, harsh and painful illnesses it may happen that they will die as a result. This will come to pass, and this one will see. This will teach others not to attack the dead as if they are nothing.<sup>74</sup>

73 Cf. *Ep.* 959.7 = N169, dated to 390, where Libanius was asking the governor Tatianus to give a position to his own son in order to free him from burdensome civic service. In the letter he said that even if his son had to confront these dangers after Libanius was dead, the sophist would have felt the pain, 'according to the saying of wise men'. Plato, *Phaedo* 68a alludes to the tight bond between loved ones who died and those who survived them. The latter would willingly go to the underworld in the hope of being together with those they loved.

74 Cf. Plato, *Apology* 39c–d for the threats of Socrates to the jury who condemned him, which are also contained in a prophecy. Socrates says that old men often prophesy when they are about to die. This was approximately the condition of Libanius. This dark conclusion of the oration is similar to the ending of *Or.* 1.283–85, which was probably written before December 393 because it does not mention the execution of Proclus 6 on December 3 (cf. Norman 1992, *ad loc*). There Libanius presented himself like the priest of the gods who had been hurt by the treatment of his son Cimon and then avenged by a famine that hit Constantinople. A similar concept is evident in *Or.* 24, where Libanius asked the new emperor Theodosius to avenge the death of Julian (cf. for the date Malosse 2010). There, in sections 31–35, the sophist claimed that the gods were concerned about men even after they died and would make sure that men who were still alive would take care of them. In both orations 1 and 24 Libanius referred to mythological examples of calamities sent by heaven to avenge the dead and other unjust deeds. This was a common mentality found in late antiquity among pagans and Christians alike. In the present oration it is unclear if the gods or some malign spirits (demons) will be responsible for causing these calamities. Pagans of every class believed in the operations of demons and the church accepted this doctrine and even reinforced it. Lastly, one should note that the curse combined with the invective brings the speech to an effective conclusion.

**ORATION 38 (AFTER 388),  
AGAINST SILVANUS**

Like many of Libanius' other orations, *Or. 38* pertains to the sophist's activity as a teacher of rhetoric in Antioch. The speech is a condemnation of the character of Silvanus: Libanius argues that he should not be exempted from the burdens of civic service. The narration, however, revolves around Libanius' school: the sophist defends Silvanus' father Gaudentius, who had been one of his assistants; discusses Silvanus' own studies with Libanius, and those of his son (who is not named), and also the tuition fees that students paid. Libanius presents Gaudentius as a victim of his own son who treated his father with contempt when he grew old, neglected him, debarred him from access to the family home and to food, and was pitiless once Gaudentius had a stroke. In addition, Silvanus was an ineffectual and unsuccessful father. He ignored his son's misbehaviour, covered up his immoral deeds, and – to Libanius, the worst offence of all – transferred him to the school of the Latin teacher. It is difficult to know exactly what the reality was and how much invective plays a part, but it is likely that some of these accusations impressed the members of the Council.

After Libanius came to Antioch in 353/354 to establish himself there permanently, he opened a school. Gaudentius (2 in *PLRE*), who had been the assistant of Zenobius, the official sophist who preceded Libanius, after the latter's death joined Libanius. His assistance was valuable because he was well acquainted with the students, their backgrounds and the population of the city. He also did not represent a threat to Libanius because he was already accustomed to a subordinate position. Passing references indicate Gaudentius' dedication as *didaskalos* (teacher). In *Ep. 543*, dating to 356/57, Libanius said that Gaudentius shared the teaching with him, referring to the fact that the assistant read the classics with the students, a preliminary activity for newcomers before they learned the *progymnasmata* with the sophist himself. In *Ep. 749*, which was written in 362, Libanius referred to Gaudentius as 'old'. Together with the sophist, Gaudentius taught Leontius 9, a very successful student who became governor of Palestine and Galatia.

Gaudentius' son Silvanus (probably no. 3 in *PLRE* I) must have joined Libanius' school as soon as it was established. This speech shows that Gaudentius pleaded for his son to be accepted by Libanius. It is possible that Gaudentius had taught his son the standard course of poetry and prose that was mandatory teaching and during that time asked Libanius to admit Silvanus as a regular student. In 359, the youth appears to have studied Roman law under Domnio 1. In a letter from that year (*Ep.* 87 = R175) Libanius praised the ability and character of Silvanus and mentioned that he was 'inscribed among the advocates, since Modestus so kindly admitted him'.<sup>1</sup> At that point their relations were still cordial. In another letter, of 362, the sophist commended Gaudentius, referring to him as 'the old man' and saying that his evaluation of students' abilities was trustworthy; he could judge their compositions because he wrote speeches himself (*Ep.* 745 = R204). Gaudentius apparently continued to teach until he was over 80. An inscription on his family tomb commemorates him as an advocate (maybe before teaching) but does not mention his work as teacher, a plausible indication of which was considered the higher achievement.<sup>2</sup>

Both Libanius and Gaudentius, therefore, were the fathers of Silvanus: while Gaudentius begot him, both he and the sophist made him into a rhetor. In no other speech is the equation father-teacher<sup>3</sup> found at so many levels and with the same intensity. It seems that whenever Libanius mentions Gaudentius the teacher he also includes himself. While the main subject of this oration is Silvanus, a large part of it is occupied by the accusations Libanius levels at him for failing to discipline his own son. Yet while in theory both Silvanus and Libanius are 'fathers' of the disgraceful student, in this case the equation does not work. Silvanus is a bad father and a bad teacher because he does not provide a good model and does not chastise his son. Section 9 reveals that he may have been unaware of the extent of the problem, but even if he knew about it he failed to punish his son and refrained from taking him to court; but Libanius too was a bad 'father-teacher' because he did not restrain the uncontrollable youth.

Modesty (*aidōs*) and respectful behaviour were among the attributes of the good student. Libanius, who complimented a father because his son knew how to be modest, went so far as to declare, 'The young man

1 Modestus 2, Count of the East, who needed a retinue of advocates.

2 See Puech 2002: 261–62 on inscription 118.

3 For this equation in late antiquity, see Cribiore 2007a: 138–41.

who knows this wins my favour and receives more than another student' (*Ep.* 737 = R74). The question of the importance of natural ability versus good conduct in a model student does not allow easy answers. We may suspect that, despite protestations to the contrary, the sophist favoured the unchallenging but respectful student. As he wrote to a father: arrogant and difficult pupils made him 'curse his profession' even though he might acknowledge their academic ability (*Ep.* 1165 = R5). This letter deals in passing with the rhetorical ability of the student in question, but dwells at length on his reputation for being peaceful and avoiding fights: 'his character is such that I wish the gods would give me ten like him'.

At the beginning of *Or.* 38, Libanius mentions that he forced weak students to learn. We do not know about the effectiveness of methods of 'pushing' the student who was behind in his preparation or who was not particularly adept in rhetoric. Libanius declares the partial success of his methods of inculcating the discipline in Silvanus. On the one hand, the young man did not remain in school for too long but left when he was able to function as an advocate (sections 2–3). But, on the other hand, one suspects, the reason Libanius gives for Silvanus' anger, that is, that the sophist had contributed to the elimination of the presents at the banquets for the Olympic games, was not the only one. Rancour and anger characterized the relationship between a teacher intent on enforcing discipline and the student forced to learn. The teacher resented the extra effort he had to make and the student harboured resentment for the way he was treated. In spite of the efforts Libanius says he later made to further Silvanus' profession, it is possible that the man was never reconciled with his teacher. His actions revealed bitterness and open hostility.

*Paideia* (education) did not consist only of the inculcation of rules of good speaking and writing but included reinforcement of moral deportment with the aim of creating good citizens. Pedagogues and teachers were responsible for channelling the energies of a youth in the right direction, protecting him, in the absence of parents. Lack of success in this area reflected poorly on a teacher's reputation. In section 10, Libanius declares that he himself will be tainted by the ill repute into which the youth's misbehaviour has led him. The same point is made in a letter from the year 363 (1395 = R98). A father had accused a student of some breach of moral conduct. The tone of this letter and the word used (*arete*, virtue) suggest that someone, possibly a liar, had accused the youth of homosexuality. Libanius reassured the father that there was nothing amiss, but also wrote: 'I stand condemned, if on the one hand I was not aware of anything, and if,

on the other, when I became aware of it, I let it go on'. In another letter, 1330 = N139, the sophist told a father not to be too concerned if Libanius had given his son a beating. The father in question was not aggrieved because of the physical punishment itself but was troubled because of 'something that was so bad that it could not decently be mentioned'. Here Libanius reveals the ways in which he dealt with various forms of misbehaviour: he expelled students whose deportment was immoral, because he did not want the disease (*nosos*) to spread, but inflicted a beating on those who did not study or who cared too much for sporting activities. Allusions to indecent behaviour also appear in another message to a grandfather. Libanius said that he knew how to 'condemn boys who are disorderly' but that the man's grandson was not 'a lover of bodies'. Such allusions are found in very few letters, which are generally characterized by an amiable politeness. Orations, however, often convey direct accusations tinged with invective. *Or.* 38 is one of those and openly depicts the bad deportment of Silvanus' son.

It is well known that Eunapius showed some hostility to Libanius when he wrote his portrait of the sophist.<sup>4</sup> Besides accusing him of opportunism and of using a flaccid and recherché Attic style, Eunapius mentioned in passing (and somewhat maliciously) that Libanius was expelled from Constantinople at the beginning of his career because 'a calumny was brought against him because of his pupils'. Though no ancient or modern commentator was able to find other signs of Libanius' pederasty, all tacitly assumed that it was to this that Eunapius referred. Eunapius admitted that he had never met the sophist, but he must have had access to some of his work. It is perhaps conceivable that his slander of Libanius rests upon this late oration, which deals with the subject. After all, Libanius here declared that he was the *arche* (beginning) of the scandal, which, taken literally might be construed to mean that he was to some degree involved in pederasty.

Orations 1.183–84 and 53.16 contain material that is relevant to *Or.* 38, because they mention the injury to Libanius' foot and his intervention in eliminating the practice of giving presents to those who were invited to the banquets for the Olympic games. In the narrative of his life Libanius alluded to an accident to his foot that occurred in early 380.<sup>5</sup> On his way to a dinner, Libanius tried to stop a brawl, was thrown to the ground,

4 Eunapius, *Lives* 495–96.

5 Norman 1992: 249 dated the accident on the basis of the Olympia in section 184.



and his horse stepped on his foot. The injury bled severely, and he was expected to die. He says that the news of the accident spread everywhere, to 'every city of continent and island'. He alludes again to this accident some years later in *Or. 38.3–5*, which Foerster dated after 388. Here, with diminished rhetorical emphasis, he mentions only the concern of the city for his well-being. Though the sophist probably exaggerated the severity of his wound, accidents such as these could be fatal. In 391, Libanius' son Cimon, also called Arrhabius, died after an accident that occurred on his way to Antioch. But, said the sophist, when his former student Silvanus heard that he was injured, he reacted with delight, jumping for joy and clapping his hands, and declared that Zeus had finally punished the sophist. But punished him for what? Libanius says that people informed him that Silvanus had been hostile to him previously and the sophist identified a dispute about presents given at the banquet for the Olympic games as the cause of his anger. In *Or. 53*, Libanius had urged that the participation of young men in the banquet be limited. In responding to the objection that the custom was too old to be eliminated, he mentioned that for a long time presents had been given to the participants but they were eliminated as an unnecessary expenditure because otherwise the liturgy would become too burdensome to undertake and it would be impossible to find someone to do so. Martin (1988: 214–15) mentions *Codex Theodosianus* 15.9.1, dated July 384, that limited the presents at the games, forbidding gold, ivory tablets and luxurious clothes.

Invective is prominent in *Or. 38.8* and continues in *38.9*. This oration includes the usual accusation of youthful homosexuality and prostitution, which appears in other orations (e.g., *37* and *39*) and depends on classical invective (see, e.g., Aeschines, *Against Timarchus*). To this Libanius adds a further indictment of the son of Silvanus for plunging others into the same vice. The son acted as a go-between for men in search of youthful lovers (such as young students), did this even in school, profited from gifts, and when he could not find suitable young men, offered himself. In addition, Libanius dwells upon the *topos* of lack of success in school and inferior intellectual qualities, as, for example, in *Or. 4.16–18*, *41.6*; *42.12*.

In Cribiore 2013 (95–116) I have examined in detail character assassination in classical oratory and in the orations of Libanius. Were these accusations, and especially the most virulent, realistic or were they fictional? Did Libanius' audience take them at face value or did they recognize them as conventional, and merely admired the sophist's ability to make a concoction of violent fictional slander? I argue that Libanius

found the basis of his invective in reality, but served his audience the dish they craved. Both Christians and pagans were alert to and able to distinguish invective, and so viewed some accusations with the attitude of connoisseurs.

Silvanus must have been Christian. Reiske (cf. n. 20) argued for his Christianity on the basis of Silvanus' proclamation that Zeus had rightly punished Libanius when his foot was trampled. This phrase, however, is not conclusive in deciding the man's religion because the expression could be taken both ways – either that Silvanus was Christian or that he was not. In section 17, however, the expression 'enemy of the gods' shows that Silvanus was indeed Christian. This expression also appears in **Or. 63.18** in reference to Libanius' friend Olympius 3 (cf. note). The phrase in classical antiquity referred generally to a scoundrel but in late antiquity many instances (for example, in Julian) show that it referred to Christians.

Foerster dated this oration after 388, when a Latin teacher was established permanently in Antioch (cf. **Or. 38.6**). It is difficult to be more precise. I have argued elsewhere that students who wanted to learn Roman law needed to learn some Latin but that a perfect knowledge of the language was not necessary.<sup>6</sup> Even for those who wanted jobs in the administration a veneer of familiarity with Latin was sufficient, and governors had scribes at their disposal. Like Gregory of Nazianzus and Themistius (whose lack of Latin is surprising because he had frequent contacts with the court in Constantinople),<sup>7</sup> Libanius had no knowledge of Latin. He does, however, seem to have admired those who, like the Emperor Julian, knew the language (cf. *Or.* 12.92–94; Ammianus 16.5.7 considered the emperor's knowledge 'sufficient'). In his letters of recommendation Libanius also bragged about the Latin proficiency of some of his students, such as Julianus (*Epp.* 668 = B79 and 1296 = R118).

As soon as the sophist had arrived in Antioch, he realized that his school would greatly gain through the acquisition of a Latin teacher. Since his long-standing dream was to make his school self-sufficient and able to rival the school of rhetoric in Athens, in the year 356, he tried to attract his friend Olympius 4, who was born in Antioch but resided in Rome and knew both languages to perfection (*Epp.* 534 = R151 and 539 = R 152). He wrote to him: 'I have need of your language for what I do. If our students must be strong in court, and this is hard with the other tongue, how can

6 See Cribiore 2003–04: 111–18.

7 For a more detailed treatment of this issue, see Cribiore 2007a: 206–12.

you not be here and shepherd the flock with me?' The attempt was not successful and Olympius declined to become part of the sophist's school for unknown reasons. In 358, Celsus 2 apparently taught some Latin in the city but not in the school of Libanius (*Ep.* 363). In his late years, Libanius' attitude towards the rival disciplines of Latin, Roman law and stenography became very acrimonious, as other orations testify (cf. *Or.* 58.21–22, 24, 29–31; 1.255–56 and 3.24). In *Or.* 38.6, the orator accuses Silvanus of having forced his son to leave his school to go and learn Latin with 'the laughable Libyan teacher'. Apparently the young man forsook any solidarity with Libanius and supported the Latin teacher in everything, ready to engage in fisticuffs against the sophist's students in those battles for prestige that were common in the ancient world and that Eunapius has described (483–484). Such lack of loyalty must have been a blow to the sophist who in his late years justified those brawls as a sign of love for him. In *Or.* 3.10, he regretted that his own students refrained from battles waged on his behalf. The indignant and resentful tone of this late oration shows that Libanius identifies himself with the old Gaudentius as he does with the dead Olympius in *Or.* 63. He imagines that he could be in the same situation and suffer the same disregard and cruelty on reaching the same old age. Whereas Olympius was his bosom friend and the sophist could not bear to see him insulted, Gaudentius practised the same profession even if at an inferior level.

The last sections of the speech (20–23) concern the public aspects of the case against Silvanus. So far Libanius had attempted to demolish his stature on moral grounds. Silvanus and his son had become examples (*paradeigmata*) of utterly bad students, similar to those who appear at times in other orations. They are, however, almost caricatures of the type because their portrayal combines moral turpitude with other negative qualities such as disrespect and betrayal of their teacher. The oration, therefore, has become an invective. The last part, however, offers an explanation of what Libanius had announced in the proem: we learn in some detail why the sophist had decided to break his silence and denounce Silvanus.

Libanius always defended the health of the city councils that were the life of the cities. While in *Or.* 11, *The Antiochikos*, he had presented the city and its council in glowing tones, at the end of his life the situation had degenerated. The richest decurions had begun to neglect the welfare of cities. The poor decurions, burdened by heavy liturgies, continued to sell their property in order to escape serving on the councils and some of the *principales*, the most influential councillors, were happy to seize them.

Silvanus must have been one of them. Libanius testifies to his prestige among the councillors who were only happy to greet him and welcome him. He had apparently taken possession of one of these estates, in addition to being immune from civic burdens. He appeared in the list of those who had to sustain the liturgical burden but nobody had enforced the rules and he had continued to live in wealth. It is possible that someone had objected to the unfair situation and that Silvanus had attempted to free himself through legal action from the liability of undertaking a liturgy. Libanius objects that the council was not supposed to let owners of properties such as Silvanus evade their responsibilities. It is difficult to know on what grounds Silvanus claimed an exemption from curial duty. Was it that his father had been exempt because he taught rhetoric and he had inherited that privilege? It is true that *Or. 38* is largely concerned with the old teacher. One may suspect that Libanius devoted so many words to Gaudentius to show that Silvanus did not have any right to inherit the immunity because of his wickedness. Yet the situation is far from clear. Doctors and professors of rhetoric and grammar enjoyed an exemption, but Gaudentius was only an assistant teacher.<sup>8</sup> In Antioch only the municipal teacher of rhetoric claimed the exemption from fiscal duty, and that was Libanius.

This oration appears in only a small number of manuscripts. Reiske corrected it extensively in his *Animadversiones* (5.570–71). Festugière (1959: 199–201) translated parts of sections 5, 6, 8, 9, 10, 11 and 12. The text on which most of the translation is based is that of Foerster (1906).

### SYNOPSIS

1 Proem: the bad behaviour of Silvanus needs to be exposed. Silence is not acceptable.

2–8 Narrative: the wickedness of Silvanus and immorality of his son.

9–10 First objection: the youth's behaviour does not concern Silvanus. Response: this is wrong because Silvanus well knew the state of things.

11–12 Narrative: the son of Silvanus incurred the ire of and punishment by the relatives of a young man he tried to lure into immorality, but blamed Libanius.

13–16 Narrative: Silvanus' violence against his father; the old man's death and the indifference of Silvanus.

<sup>8</sup> Cf. *LRE*: 745.

17–19 Amplification: The friends of Gaudentius who are grateful to him for teaching rhetoric should punish his son.

20–22 Objection: Silvanus is not the only one who has behaved in this manner. Response: yes, but his case is more compelling than the others. Public character of the case.

23 Epilogue: let the Council seize him.

1. It is not surprising that Silvanus, the son of Gaudentius, reviles me, for he does the same to his father Gaudentius, but in addition he also mistreated him.<sup>9</sup> Some people (and often myself included) have advised me to keep silent,<sup>10</sup> and yet, thinking of making others more temperate by speaking about this man,<sup>11</sup> I decided that speaking is preferable to being silent. At the same time, I think that I will persuade many of those who are in contact with him to shun his company because it is somewhat unclean.<sup>12</sup>

2. When I came here and began to do what I am doing now,<sup>13</sup> Gaudentius, a good, honest man who had spent a long time teaching, approached me, showed me Silvanus, the man here;<sup>14</sup> he said he was his son and asked me

9 Silvanus and his father appear as a pair from the first line of the speech. The equation father–teacher is also clear from the beginning. Gaudentius and Libanius were both fathers of Silvanus (albeit in different ways) who spoke badly of both. Libanius, however, was in a better position because Gaudentius was also mistreated. In this respect the relation of teacher and student was more distant.

10 The proem of this oration contains the *topos* of the speaker forced to break silence, under necessity, which opens many of his orations – for example, *Or.* 31, 42, 53, 62 and 63. The speech is an outburst that issues from a silence maintained for many years. Persuasion seems to be the main reason for breaking the silence. The speech is a moral example (*paradeigma*) that will teach others to love and respect their own fathers and teachers. Being silent is the opposite of venting rage in a speech. People who advised Libanius to restrain himself may not have been aware of the magnitude of his grief. On the motif of silence in Libanius, see Quiroga Puertas 2013b: 223–44.

11 As usual, a speech aims to teach and improve the morality of others.

12 Libanius reiterates this concept in section 19. People should avoid living under the same roof as Silvanus.

13 That is, to Antioch where he started his school in 353–54. Since the speech should be dated after 388, it shows that Libanius continued to teach until he was very old. In the narrative of his life (*Or.* 1.280), where he relates events of 391, he said that his oratory was still strong after the deaths of the woman who was his companion and his son. Although he no longer went to the lecture room because of his health, he was still able to fulfil his duties towards his students. In 392, he still performed a full schedule of work in the council room as *Epp.* 1046, 1066 = N190, 393 = N191 show. He was able to leave the couch in his house and used one in the school.

14 Libanius indicates that Silvanus is present in the council as he delivers the speech.

to include him among my students, mentioning a fee. I was irritated at the fee<sup>15</sup> but accepted this student gladly, not knowing how he was going to behave with me, his teacher, but honouring his father in whose work I took pleasure. I had to labour over him more than any other student since he was naturally dense and could not understand promptly what he was told;<sup>16</sup> nevertheless, I thought that even in this condition it was my duty to push him.<sup>17</sup> 3. Therefore, when he thought that he could plead cases,<sup>18</sup> he went to the other side of the Euphrates,<sup>19</sup> and after acquiring money he came back here to pursue the same activity. He obtained from me all

15 It is difficult to be sure how to take these words. Gaudentius may have said that he could not pay the full tuition fee and may have asked for either a discount or for the fee to be waived. Libanius, in fact, had an ambivalent attitude towards his pay (cf. Criboire 2007a: 183–91). It is possible that Libanius felt irritated at the whole thing. In *Or.* 62 19–20, dated to 382, Libanius discloses that his students could pay the fee or not, as they chose, but that all students, wealthy or not, ended up taking advantage of the opportunity and did not pay. We should not discard the possibility that the sophist ‘was angry’ that his assistant did not trust him enough and did not assume automatically that he did not owe anything. In any case, section 6 clarifies that Silvanus did not pay anything. The tuition fee was paid at New Year. *Or.* 55.23 and 27 refers to the tuition fee in kind that appears to depend on seasonal produce. Cf. also n. 34, below.

16 In general, Libanius did not have much patience with students he deemed not gifted at rhetoric (cf. the following note).

17 On persuading but also forcing students to learn rhetoric, cf. *Epp.* 1335 = R123 and 1265 = N134. These two words encapsulate the pedagogy of Libanius. Students who, like Silvanus, had ‘a hard nature’ (σκληρὰς φύσεως) were a misery for their teacher and did not derive much benefit from *paideia* (see *Or.* 4.18). They were apathetic and showed no interest in declamations (*Or.* 3.13). Parents sometimes failed to recognize that their sons were ‘blockheads’ (λίθοι, ‘stones’) and preferred to believe that they ‘were sons of the gods’, and so teachers were in trouble and had to work hard (*Or.* 25.47). For some students ‘there was no hope’ (*Or.* 49.23), Libanius commented drastically. In *Ep.* 465 = R60, he praised one young man but said to his father that his other son was hopeless, could not learn, and ‘should not have been born’. Cf. *Or.* 55 note to section 26 on natural endowments (φύσις). Cf. also, for example, on the word λίθος, used for someone not very bright: Aristophanes, *Clouds* 1202 and *Wasps* 280, Theognis 568 and Plato, *Euthydemus* 298a.

18 Libanius seems to imply that this was Silvanus’ decision and that he did not approve. Those who moved from a school of rhetoric directly to the profession of advocacy generally did not spend many years with Libanius, who resented the fact that they could not fully master the art of rhetoric. Libanius, in any case, could not help Silvanus directly with his practice because, as he acknowledged in *Or.* 1.277, he did not know much about work in court: when Libanius had to defend himself in the matter of the inheritance from his friend Olympius 3, his lack of expertise caused him many problems (cf. *Or.* 63 for the affair).

19 Reiske thought that Silvanus probably practised law in Edessa, the capital of a small kingdom on the east bank of the Euphrates.

the assistance that he was reasonably going to receive in that matter,<sup>20</sup> but I did not know that I was helping a bad person before the ill fortune that befell me with my foot brought everything out into the open.<sup>21</sup> While everyone else was grieving and the story of my misfortune brought tears to the whole city, he was the only one who could not hold himself back and couldn't hide his joy by means of feigned sorrow; he asked about it two or three times,<sup>22</sup> unable to believe that such a great good had happened to him, but when he realized that this was actually true and the story was not a lie, he jumped up, lifted himself high above the ground, clapped – did everything that people do when they are overjoyed<sup>23</sup> – and also proclaimed in a clear voice that this was the work of Zeus who acts justly.<sup>24</sup> 4. I heard this as I was lying in bed with little hope of recovery<sup>25</sup> and pondered whether he had ever suffered anything bad at my hands so that he would indeed take pleasure. Then I found good deeds and nothing unjust or dreadful.<sup>26</sup> As I grieved over this, one of those sitting at my side<sup>27</sup> said that I had learned all too late that Silvanus started to be hostile to me a long time ago, even before this misfortune.<sup>28</sup> 5. What does it mean

20 He probably means that he only sent recommendations to important people.

21 The accident occurred in early 380 (*Or.* 1.183–84). Cf. *Or.* 53.3.

22 For this expression, 'asking two or three times' to ascertain that something is true, cf. Plato, e.g., *Philebus* 60a1, *Phaedrus*. 235a4 and *Gorgias* 498e11. The text indicates that those who were present and witnessed Silvanus' joyful behaviour told Libanius what had happened. Silvanus would have been more composed in the presence of the sophist. The whole vignette is coloured by rhetoric and exaggeration.

23 This is one of those vivid descriptions that Libanius sometimes mixes with a narrative.

24 Silvanus implied that a just Zeus had punished Libanius. Reiske conjectured from this that Silvanus was Christian and was gloating that the pagan sophist was chastised. Judging only from this expression, the matter is not certain. Silvanus might have been pagan and rejoiced in the justice of Zeus whom both he and Libanius may have worshipped. See, however, section 17 and note, and cf. the introduction. Gaudentius appears to have been pagan yet this is not a proof that his son was too, since relatives were sometimes of different religious allegiances; see, e.g., the family of the pagan Asterius in Antioch who had a Christian son (*Ep.* 1411 = B98).

25 An exaggeration since the whole accident did not leave many traces. In *Or.* 1.183, however, Libanius says that witnesses expected him to die: he may not have known in the early stages that he would recover.

26 Libanius appears totally unaware that he might have made mistakes.

27 A visitor or a friend. In *Or.* 63.4, when Olympius was sick, people visited him incessantly night and day until the doctor forbade this.

28 Silvanus, therefore, had previously manifested hostility towards his old teacher. We may surmise that Silvanus resented the low esteem in which Libanius held him, and also his harsh methods. The sophist may not have been aware that Silvanus' bitterness had started

for him that he praised the god for the pain in my foot? The presents that the organizer of the Olympic games gave the guests to take home after the banquet were making this liturgy a heavy and unendurable burden, and there was a risk that the celebration would not continue.<sup>29</sup> Wishing to put an end to this, I urged many people, and persuaded one, who judged the advice on the basis of the adviser.<sup>30</sup> Let me never say anything malicious.<sup>31</sup> May Zeus be favourable to this man and his grandmother in return for this.<sup>32</sup> As for the rest, some praised me; others did not censure me and, if anyone was annoyed, he kept silent.<sup>33</sup> Only Silvanus raised an outcry, and it was clear that he was sorry that I was not dead. This same man could in fact feel pleasure at one thing [my injury] and wish for another [my death]. So the man who had been our student and never paid anything was more unjust than those who did not take our classes and paid something.<sup>34</sup> 6. Silvanus also had a son at my school who did not pay the tuition fee<sup>35</sup> and like his father rejoiced in my misfortunes.<sup>36</sup> Wishing to wrong me even by means of his son, he dragged him away from my doors and brought him over to learn the other language,<sup>37</sup> not because he

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while in school. Libanius may also have treated Silvanus differently from the others since, as he says in section 5, Silvanus did not pay the tuition fee and was in a category apart, while in section 2, Libanius notes that Silvanus was not a bright student.

29 Libanius attributes the anger of Silvanus only to a political issue. Cf. on this *Or.* 53.16, where Libanius argues that the practice made the task of the liturgist too burdensome and so it was abolished. Its abolition justified for Libanius a further reorganization of the banquet to exclude young men because of possible immorality.

30 That is, he considered the proposal good since Libanius was eminent and authoritative. The identity of this councillor is unknown.

31 The phrase is somewhat obscure. He seems to guard against criticizing some people who did not have a high opinion of him in contrast to this man, who helped him.

32 There are a few letters that mention grandmothers (e.g., 1409.1; 630.3), but they are dated to the 360s.

33 Thus supposedly the measure passed with the opposition of Silvanus only.

34 Libanius' resentment at waiving the tuition fee comes into the open again. Who are these young men? One such student might have been Albanus who stopped taking Libanius' classes but kept on giving him money (see *Ep.* 833 = R11). There also might be a veiled allusion to the emperor Julian who, however, was not a real student.

35 It is possible that Silvanus, the son of an assistant teacher, did not pay because he was not wealthy. On the meager stipend of an assistant teacher, see *Or.* 31.

36 Supposedly, the resentment towards Libanius had passed from father to son. Moreover, this young man who behaved immorally must have had his own problems with his teacher.

37 That is, Latin. Libanius considered this an utter insult. For the use of *φωνή* to mean language and not specifically spoken language, cf. *Or.* 2.44.



desired him to learn it but to insult this language, and even more myself, by placing me second.<sup>38</sup> He urged his son, who takes great pride in his muscles,<sup>39</sup> to regard the laughable Libyan teacher<sup>40</sup> as a god and not to spare anything that might profit him – word, deed, hand, foot, war, battle and wounds – not even if he were about to engage in close combat with my students.<sup>41</sup> 7. This youth continued to make an uproar, threaten and abuse. Whenever someone reproached him, mentioning his grandfather – certainly not his father<sup>42</sup> – he would take refuge in the fact that he was helping his teacher. The cover for misdeeds originated with the man [his father] who taught him that this *lovely* excuse would profit the person [the Latin teacher] who was causing trouble with the students. 8. And yet this, important as it is, is less serious than what I will say next.<sup>43</sup> He became the servant of the lovers of handsome boys; he met with some of them outside school and with others in it;<sup>44</sup> and, running many a double lap to bring things from one to the other, had a share of those gifts of love.<sup>45</sup>

38 ‘With his second choice’. Reiske interpreted τοῖς δευτέροις as ‘by what happened next’. According to Libanius, Silvanus did not have a real desire for his son to learn Latin – for example, to work in the administration, but acted only out of spite. By saying this, the sophist not only pointed again to Silvanus’ anger towards himself but also intended to diminish the importance and attractiveness of Latin. Latin was one of rhetoric’s rival disciplines. It was used in the administration and knowledge of it secured jobs. Cf. *Or.* 40 (introduction and sections 5–7) on what Libanius perceived as contempt for the Greek language and appreciation for Latin. There he depicted the sons of the councillor Alexander going to Rome and one of them coming back to Antioch without learning Latin rhetoric.

39 Literally, ‘the flesh’ (ταῖς πολλαῖς σαρκί), either strong muscles or extra weight. On Libanius’ dislike for fat in general and students’ fat especially, cf. note at *Or.* 53.29, commenting on fathers’ injunction to their sons to eat a lot at the banquet for the Olympia.

40 He came over from Africa. On the Latin teacher, cf. *Or.* 40.

41 Cf. introduction; Eunapius, *Lives*, 483–84 described the violent fights in Athens of the students of rival sophists, Julian and Apsines.

42 In Libanius’ eyes, Silvanus was a negative figure and did not earn people’s respect, unlike Gaudentius.

43 The oration now moves to pure sexual invective that was probably largely fabricated in the heat of the moment.

44 The fact that some of this young man’s activities took place in the school is one of the reasons some felt Libanius was partly responsible for the youth’s behaviour. He had not prevented that scandalous behaviour and did not put an end to what was supposedly happening under his eyes.

45 Libanius appears to mean material gifts that lovers gave their younger beloved. Silvanus’ son had a part of those gifts as a pay for his activities in procuring young lovers. It is not completely excluded, however, that the expression can be taken metaphorically indicating manifestations of love.

He made many households miserable, filling them with his own vileness night and day, and when he could not procure anyone he offered himself, prostitute and panderer at the same time.<sup>46</sup>

9. And let no one say, 'And why should these things reflect on his father?'<sup>47</sup> Even if he were unaware of this business, not even so should he be pardoned.<sup>48</sup> Let no father be unaware of what his own son does and neglect what is so important, while he pays attention to lesser things, such as servants, money, horses and donkeys.<sup>49</sup> What is more valuable to a father than his son? But let us suppose that Silvanus has a point when he proclaims his ignorance. As a matter of fact, it is impossible, because he has often heard from many people: 'Silvanus, father of a bad son, do you take it lightly that he gives away his youth to whoever desires it, without ceasing even now,<sup>50</sup> and that he plunges the sons of others into the same vice, and has brought into your house the money from both activities?'<sup>51</sup> Aren't you going to throw him out, with blows, with wounds, or even, by Zeus, taking him to court?'<sup>52</sup> 10. Hearing this, Silvanus kept on claiming that he was going to restrain his son and yet he allowed him to be the same, to live in the same way, to receive the same [money] and to cause the same

46 Here the sophist describes the transformation of the young man from someone procuring lovers for others to becoming himself a child prostitute. It seems that he had some kind of agreement with the older lovers to get young men and thus could not escape. This is a portrayal of the early homosexuality of a young man (cf. young Mixidemus in *Or.* 39.5–6).

47 Libanius means that the indictment of Silvanus' son cannot be taken as a parenthesis in the accusations against the father but is an integral part of them.

48 Libanius seems to contemplate (even though in a contrary to fact clause) the hypothesis that Silvanus might have been ignorant of what was going on. Is it possible that the accusation was grossly inflated? Silvanus may not have known all the facts of which Libanius accuses his son.

49 This is a short encomium of the ideal father who must be aware of the behaviour of his son at all times. Cf. in *Or.* 55.28 the anecdote of a father who disregarded his affairs at home to sit in class by his sons and to be their pedagogue.

50 That is, at the moment when the Council had to make a decision regarding Silvanus, whether to grant immunity or not. The disreputable behaviour of this young man was not only a thing of the past.

51 This is one of those short speeches that Libanius often inserts in his orations to report the opinion of others.

52 Some declamations of Libanius present fathers taking their sons to court trying to disinherit them. In *Decl.* 27, a morose man disowns the son who had laughed at him when the man fell on the pavement. In *Decl.* 33 another father attempted to disinherit his son, a war hero, because he had chosen as a prize an olive crown instead of something valuable. This kind of disowning was not entirely fiction because in Athenian law fathers could disown sons (cf. Russell 1996: 124).

damage as before. He knew that most of the ill repute would come upon me since I seemed to have the primary responsibility, even though the truth was different.<sup>53</sup> The greatest proof of this was that the father knew about his son's behaviour, and approved in full knowledge.<sup>54</sup>

11. Recently, this lad approached a handsome boy and attempted to entice him, but, as he turned away, he came upon him, grabbed him, pulled him and struck a blow.<sup>55</sup> When the relatives of that young man (who were strong and not few) learned of this reckless act, they surrounded him [Silvanus' son] and used their fists against him.<sup>56</sup> On learning this, this *valiant* father neither inveighed against them, alleging that they were unjust, nor did he punish his son for his supposed bad acts.<sup>57</sup> And yet it was necessary either to denounce those people because of their unfair blows or to add a father's punishment to the punishment they had administered.<sup>58</sup> 12. As a matter of fact, Silvanus put no blame on those men but consoled his son who, even in the midst of the beating, launched many abusive words against me, though I did not know what was going on.<sup>59</sup> In lieu of hating the youth for the way he was – is it possible for people not to be angry at such things?<sup>60</sup> – Silvanus directed his anger against me. The responsibility for the beating lay neither with me nor with those who beat him, but rather with the man, who compelled the blows to happen. This was the father who had given

53 The sophist argues that the immoral behaviour of the youth had started somewhere else, not in school, and that Silvanus was responsible but this was not the whole story.

54 In addition to having failed as an educator, Libanius apparently let things go on in his school without reporting the youth or throwing him out. Ἀρχή here (translated 'primary responsibility') may mean that this young man had started his illicit activities in the school and had used the school to procure his victims.

55 The sophist introduces a vivid anecdote.

56 In section 8, Libanius showed families were made miserable because of the immorality of Silvanus' son. Here some relatives take the initiative before a young man becomes corrupted.

57 Libanius reproaches Silvanus for his laissez-faire attitude and indifference to what his son does.

58 This phrase and the beginning of the next section make one suspect that the truth of the affair might have been different. Moreover, it appears from section 12 that Libanius had some responsibility in all this. In any case, the enmity between Libanius and Silvanus was escalating.

59 It is possible that the young man accused Libanius of asking the relatives of the student to intervene to give him a good lesson. This might have happened because the sophist was constantly preoccupied with his students and wanted to dispel the suspicion that some of the responsibility was his for not disciplining them in school. The anger of the young man, therefore, was to some extent legitimate.

60 The question may be parenthetical; one should read interrogative ἤ instead of ἢ, 'or'.

him the licence for such things. He granted it so that I would fare worse because of the shame at the reckless acts of his son.<sup>61</sup>

13. And so he wronged me, through both, himself and his son, trained by his treatment of the man who begot him to regard the order of justice as trash and nonsense.<sup>62</sup> The *excellent* Silvanus in our opinion is a parricide,<sup>63</sup> since, as some people say, he has used his right hand against his father's back and, as all agree,<sup>64</sup> oppressed him with many woes: he made him powerless over the household, forced him, with threats, to look at the ground,<sup>65</sup> and did not let him breathe freely and escape the fear that he was going to suffer something utterly bad. 14. Gaudentius was released from his classes and as an old man had difficulty in procuring a livelihood,<sup>66</sup> but the other [his son] closed the doors, kept the key himself and was busy with other things. The father sat by the stairs<sup>67</sup> without daring to shed a tear as it was not safe in case Silvanus should find out, but lamenting tearlessly<sup>68</sup> and praying the gods that someone would come at some point who would allow him to touch bread and wine.<sup>69</sup> Yet even these<sup>70</sup> were unpleasant for him since his son never asked him anything, and if he should make some inquiry it was all in vain. There was nothing

61 As usual, the sophist sees things exclusively from his own point of view. The entire world revolves around him, especially when he is angry.

62 Through his rough treatment of his father, Silvanus had learned to disregard justice. Libanius thus allows that originally Silvanus was better and became worse with time.

63 This is another topic of invective: it appears in the list of such topics of invective in Süss 1910.

64 As usual in invective, Libanius invokes the agreement of all people who are aware of the same reality.

65 That is, Silvanus forbade his father to look him in the eye.

66 As an assistant teacher Gaudentius lived mostly on the tuition fees of his students (cf. *Or.* 31.10–13 on the poverty of Libanius' assistants). In that oration, the sophist wanted to obtain for them the use of some land but apparently he was unsuccessful. In his old age, Gaudentius evidently did not have other means of support and could rely only on his son. Moreover, he did not come from a well-off family like Libanius.

67 It seems that Silvanus barred his father from the upper quarters where presumably there was food. *Or.* 63.4 shows that the first floor was used for the entrance and a waiting room. Those who visited Olympius when he was sick and resting on the second floor remained downstairs and associated with the servants. With the image of the poor man sitting on the outdoor staircase, the sad portrait of Gaudentius is delineated, but more pitiful details will follow.

68 And therefore in silence; otherwise others would know how cruel Silvanus was to him.

69 The old man was waiting to dine with his son, and the servants did not allow him to touch anything.

70 The bread and wine he consumed during meals.

that the other would hear.<sup>71</sup> The meal was conducted hastily in silent anger, with fierce glances, and harsh commands to the servants. It was evident from everything he was doing that Silvanus wished for the old man's death.<sup>72</sup> **15.** The way Gaudentius died and the time after his passing showed this more clearly.<sup>73</sup> A deep sleep fell suddenly upon him as he was teaching the usual things<sup>74</sup> to the students from his chair<sup>75</sup> so that he could not recognize his son, or where he was.<sup>76</sup> He was brought home in ignorance of everything, great or small, and the sight was dreadful and distressing and struck the souls of those who found out who the person carried away was. And in fact that excellent man, who was good in every respect, kept on moving his right hand in the same way he used to move it in the past, as an aid for teaching,<sup>77</sup> and, even though he was not aware of this, he kept on moving it anyway and thought that he was saying something to his students, though he said nothing. Those who saw

71 Family conversations with exchanges of news took place at meals. The emphasis that Libanius places on the lack of contact between father and son here shows that he attached great importance to family meals. The description of the hurried and silent dinner is particularly vivid. Cf. the conversation at dinner between mother and son in *Or.* 35.7, where the latter reports on his success (or lack of it) in speaking.

72 Again, a rhetorical assumption of the sophist which may be exaggerated.

73 From this point on, the rest of the section (24 lines) forms a single sentence that I will break several times. The description of what seems to be a stroke that Gaudentius suffered and of his transfer from the school to his home is very detailed and focuses on the reaction of the passers-by and of the heartless Silvanus. This *ekphrasis* (description) with its breathless pace is framed by the vivid detail of the hand that the old teacher keeps on moving as if he intended to continue teaching after death. Libanius' descriptions are very vivid and the detail of that hand remains with the readers. Rother (1915) found that other orations were more rhetorical than this one and contained more rhetorical figures but that the whole description of the demise of Gaudentius is full of unusual pathos.

74 As an assistant teacher, Gaudentius taught the classical writers, mostly Homer and some poetry, and Demosthenes and Plato. The curriculum was fixed, as Libanius says repeatedly, and one of the accusations of the pedagogue in *Or.* 34.15 is that students were always exposed to the usual things. On the curriculum, see Cribiore 2007a:147–55. The situation here is unclear since section 14 shows that Gaudentius was released from his classes. Here he appears to be teaching. It is possible that these were not regular classes. Libanius may have omitted to mention that he still allowed him to teach occasionally. On Gaudentius and other assistants of Libanius, see Cribiore 2007a: 35–37.

75 The imposing chair of a sophist, another sign that Gaudentius was still teaching.

76 People must have called Silvanus in the emergency.

77 Probably Gaudentius moved his hand to underline what he was saying and perhaps to distinguish parts (such as introduction, narrative, epilogue, etc.) in *progymnasmata*. It is curious that Libanius shows Gaudentius invoking the gods with his raised hand in *Ep.* 749.3. As a rule, the sophist seldom mentions gestures.

and heard this shed many tears; some did not dine and others did while mourning. Well then, the son, the heir,<sup>78</sup> the one who had taken advantage of the man's (his father) many exertions for himself and of the exertions of many others undertaken on behalf of his father,<sup>79</sup> the one who used his father's kindness so as to abuse him (though Gaudentius never told anybody anything of what he suffered), this man, who was present and saw the calamity close at hand and in every detail, did not groan, did not mourn, did not do any of the things that it was fitting to do in these circumstances by crying in the midst of such great events.<sup>80</sup> To be sure, there was nobody who did not feel this way as he thought of the virtue of the deceased and of the way such a man departed and especially of that hand that roused lamentation. **16.** But Silvanus – so far was he from urging others to lament – did not even imitate them<sup>81</sup> but detested, in my opinion, those who were despondent. He thought that people who did not die were a nuisance, and despised, as it seemed, the slowness of his soul.<sup>82</sup> And so one was buried and the other relished his death and was cheerful, deprived as he was of the unpleasant sight of his father and teacher.

**17.** It was necessary, therefore, that the friends of Gaudentius and my own friends above all seek punishment for the outrages against both of us,<sup>83</sup> and, if not, that at least they would not reward him. They, however, call him when he is away, welcome him when he comes, entertain him both when he is invited and uninvited, and are pleased to see him and

78 Heir in a broad sense since Gaudentius was apparently destitute.

79 Silvanus used (ἀνελκώς, translated 'took advantage of') his father's personal efforts in educating him and recommending him, but he also made others (Libanius) strive for him because of his father's goodness.

80 Libanius here is not questioning Silvanus' feelings but remarks that the man did not even make a customary show of sorrow. The word ἄνθρωπος (p. 260.6 Foerster) seems redundant unless Libanius repeats 'the fellow' in a disparaging way.

81 Making a show of fake filial piety.

82 This is something that Libanius feared for himself once he became very old, that he would be discarded as a useless individual. He is not thinking of Gaudentius' merits, that would make him survive in his son's memory, but only of him as a burden.

83 It seems that there is a disproportion between the supposed ill-treatment of the old man and that of Libanius, but the sophist puts them on the same level. Libanius is dismayed and disappointed. The people who welcomed Silvanus after the death of his father did not react as Libanius did at the event even though he shows them before as desperately affected by it. After a while, people forgot. It appears that Silvanus was not so vicious after all and was rather popular. It is clear that Libanius' own ill treatment and the damage that could come to his reputation as teacher colour the event.

to stay in his company. One<sup>84</sup> even rewards this enemy of the gods<sup>85</sup> with money, and another regards his enemies as his own.<sup>86</sup> 'By doing this,' they say, 'we honour the teacher'.<sup>87</sup> **18.** I praise those who wish to honour the teacher<sup>88</sup> and say that those who do wrong to their educators are at fault.<sup>89</sup> Nevertheless, it was necessary to honour Gaudentius by *not* honouring his son; those who were aware of the situation should have done this. If Silvanus had fulfilled the duties of son and student towards him, it would be reasonable for him to obtain from you these things now.<sup>90</sup> But if instead he ignored the call of nature, confounded its just laws, continued to vex and harass his father, waged this implacable war against nature, wronging his teacher throughout his long life, one who fights with Silvanus is Gaudentius' friend but one who rewards Silvanus is his enemy.<sup>91</sup> He does not reward a son by rewarding a man who treated his father badly all the time, deprived him of the fees that he earned from teaching<sup>92</sup> and increased his property through the hunger and thirst of the old man. **19.** A person who is grateful to Gaudentius for teaching rhetoric should loathe Silvanus and should flee from him when he appears, and should consider that it is equally polluted to live under the same roof as a murderer and to

84 It would make sense if this man were a pagan. In the heat of the moment Libanius is outraged since he notices that not even a different religious allegiance prevents people from liking Silvanus and socializing with him.

85 That is, a Christian (cf. introduction).

86 Is this an allusion to the fact that some members of the Council were hostile to Libanius?

87 That is Gaudentius. It seems that the people who befriended Silvanus did so in memory of his father. This would not have happened if his treatment of Gaudentius had been so cruel. Libanius must have grossly exaggerated the whole affair.

88 In this section Libanius insists on the double identity of Gaudentius (teacher and father) in order to prepare his own grievances.

89 Honour to parents and teachers was mandatory. In *Nicocles* 9, Isocrates said that one had to hate those who disrespected teachers as well as those who profaned the gods' sanctuaries.

90 Libanius seems to imply that through good behaviour towards his father Silvanus could obtain his immunity to civic duties and perhaps inherit his father's immunity. All this seems absurd.

91 'Nature' dominates this paragraph. The concept embraces the relationship between father and son and filial duties. It also relates to duties towards a teacher because, as Libanius often says, a teacher is the father of a young man. In the case of Silvanus, teacher and father were embodied in the same person.

92 This is new information, particularly in the light of the previous depiction of Gaudentius as derelict and without resources. In the hands of furious Libanius the reality is slowly changing.

be close to him.<sup>93</sup> And so, besides the fact that nature was scorned and its laws were not respected, it would seem likely that the pain inflicted by his son caused Gaudentius' death.<sup>94</sup>

20. Gaudentius' friends will come to their senses at some point and will realize what they can do to honour him, but I would be right in also charging the Council that has considered this wretch worthy of immunity. Though the highest office has entered Silvanus' name in the Council's list,<sup>95</sup> those who received it allowed him to live sumptuously.<sup>96</sup> Although the situation demands councillors, they say that there is none, but bewail the few who remain out of the many, as for instance those who lost the abundant wealth of their households and were reduced to little money. And yet they have allowed this man to own property that is unprofitable for the Council,<sup>97</sup> thus they neither help themselves nor care for the city that gave them birth and render powerless a decree that has been passed by the judge.<sup>98</sup>

21. 'But the decree does not concern only this man!' they say.<sup>99</sup> 'This is not a case of doing no wrong, but of doing wrong through many acts'.<sup>100</sup> The Council, which was in this situation, should seize all these properties

93 The same concept appears in *Or.* 55.2, where Libanius declares that he would not share the same roof with a man who betrays his father. The view that Silvanus was a parricide that was introduced in section 13 is elaborated here.

94 Besides the fact that Silvanus hit his father, the pain at his behaviour was the final straw for the old man, according to Libanius. Gaudentius died of sorrow.

95 It is unclear to what Libanius is alluding. There was a tangled mass of laws. He probably has in mind an imperial constitution or a law and a list with the names of decurions. In the fourth century there was legislation regarding decurions (see *LRE*: 747–57). Silvanus was a decurion with a financial burden but was appealing for an exemption. His claims are obscure.

96 Silvanus had enjoyed some exemptions, for unclear reasons.

97 Silvanus had land but did not have any financial burden because he claimed immunity.

98 Reiske thought of a decree of the *consularis Syriae* or the praetorian prefect. He may have been right but there is no information about such a decree. The decree must have concerned some immunities that Libanius considers unjust. Silvanus and others claimed to have immunity on the basis of the decree. It is possible, however, that this 'decree' was simply the rule that decurions with property had to undertake liturgies.

99 This objection towards the end of the speech reasserts the public character of the case. Someone, possibly a member of the council, objects to the avalanche of personal accusations saying that Silvanus' case was part of a pattern and other people too had claimed that kind of immunity.

100 This is a difficult phrase. It could be interpreted very plausibly as 'This is not a simple case of wrongdoing but it concerns many'. Contrary to Foerster, I think that this second phrase is part of the objection since it states basically the same concept as the previous one.



and not let them go.<sup>101</sup> There was an obligation to force everyone to submit to public duties and not offer this unjust immunity to anyone on account of anyone else. **22.** Yet his case is much more extreme than the cases of those people, in so far as the conduct of Silvanus' life is not equal to that of each of them. What could one say about them that is comparable? Nothing. There is only this one charge against them, that they do not want to perform public duties, but they did not enslave their fathers nor did they consign them to fear and hunger nor did they laugh when they died, nor did they consider their teachers enemies, nor did they hurt them as much as possible. **23.** And so let the Council seize the basest of these men, and, since he got off in his other trials,<sup>102</sup> let him be brought low by these expenses, and let him wipe the insolence from his eyes<sup>103</sup> and become a bit more restrained.

101 These were properties that decurions alienated by sale and gift. They ceded their land to richer decurions and to other influential citizens.

102 So this was not the first time that Silvanus tried to escape from the law.

103 A touch of personal and stinging dislike. Another unexpected vignette. Silvanus is sure of himself and is not intimidated by Libanius' accusations. Cf. in *Or.* **35.11** a similar remark about young men who live in pleasure and avoid duty.

## GLOSSARY

Acclamations: sequences of rhythmical phrases that people chanted on public occasions.

Assessor: a legal adviser who assisted governors or prefects.

Caesar: a subordinate to the reigning emperor who was called Augustus.

Claqueurs: members of the claque (hired applauders) at theatrical spectacles.

*Comes Orientis*: Count of the East, who was subordinate to the Praetorian Prefect of the East.

*Consularis*: a rank for governors of important provinces such as Syria, which was governed by the *consularis Syriae*.

Council: municipal or town council, also called *ordo*, *curia*, *boule*.

*Curialis*: decurion (see below).

Daphne: a suburb of Antioch, a favourite residential area for the upper class, where the temple of Apollo stood.

Decurion (as in law codes, called *bouleutes* by Libanius): a member of the city Council who collected levies and taxes, repaired the roads, managed the baths and the games and did other services.

Epideictic oratory: ceremonial oratory sometimes called oratory of ‘praise and blame’.

*Koine*: an everyday form of Greek different from literary Greek.

Liturgies (in Latin, *munera curialia*): civic services for which the decurions were personally responsible. They were usually compulsory by the fourth century.

*Paideia*: Greek education at all levels.

PPO: Praetorian Prefect of the East, the most important official in the East after the emperor.

*Politeuomenos*: someone who had some education beyond the elementary level.

*Principalis*: a chief decurion, a leading member of the city council.

*Progymnasmata*: preliminary exercises in a course of rhetoric. They were mostly based on poetry.

Tyche (Fortune): the tutelary goddess of a city and protector of Libanius.

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# Between City and School

## Selected Orations of Libanius

This book is a collection of twelve important but little-read orations of the fourth-century sophist Libanius, providing an English translation for each with a thorough introduction and copious notes. In spite of Libanius' influence during his lifetime, he has until recently been neglected by scholars since his Greek is often intricate and difficult to approach.

Libanius lived in Antioch (Syria) where he was a teacher of rhetoric. His school was the most important in the East and students flocked there from many countries. Some of the orations in this collection, like his correspondence, illuminate his relations with his students as well as his methods of teaching rhetoric, a discipline for which he had the highest regard. These orations also show that Libanius was a major figure in his city, in frequent contact with influential officials and governors, and that he even had a close relationship with the Emperor Julian. Oration 37 reveals that there were rumours that Julian had contributed to the death of his wife by asking a court doctor to poison her, while Oration 63 indicates that Libanius, usually considered to be a thoroughgoing pagan, was bequeathed the patrimony of a Christian friend, even though the latter's brother was bishop of Antioch.

Fascinating and thought-provoking, this essential collection of translations of Libanius' orations will be invaluable to scholars of the fourth century.

Raffaella Cribiore is Professor of Classics at New York University.



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